

OFFICE OF LEGISLATIVE LEGAL SERVICES

COLORADO GENERAL ASSEMBLY

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Statutory Revision Committee (SRC)

December 13th, 2016

State Capitol, HCR 0112, 9:00am

1. Screening of Colorado Channel's SRC video
2. Status update regarding draft bill to modernize provisions relating to the "Administrative Organization Act of 1968" (*Debbie Haskins*)
3. Vote on bill drafts authorized at October 13, 2016, SRC meeting¹
 - a. Update various laws relating to the Office of the State Auditor (*Kate Meyer*)
 - b. Modernize ANSI citations in accessible housing statutes (*Kate Meyer*)
 - c. Repeal posting requirement in § 24-30-202 (9) (a), C.R.S. (*Kate Meyer*)
 - d. Update and align various statutes within Title 22, C.R.S. (*Jane Ritter*)
 - e. List of reports in Legislative Council Staff database (*Kristen Forrestal and Kip Kolkmeier*)
 - i. Corrections
 - ii. Education and Higher Education
 - iii. Health Care Policy and Financing
 - iv. Human Services
 - v. Judicial
 - vi. Labor and Employment
 - vii. Law
 - viii. Local Affairs
 - ix. Military and Veterans' Affairs
 - x. Natural Resources
 - xi. Personnel and Administration
 - xii. Public Health and Environment
 - xiii. Public Safety
 - xiv. Regulatory Agencies
 - xv. Revenue
 - xvi. Secretary of State
 - xvii. Transportation
4. Other business?
5. Next meeting?

¹ Pursuant to section 2-3-902 (1) (d), C.R.S., legislation recommended by the Statutory Revision Committee must be made by an affirmative vote from at least five legislative members of the Committee.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
10.28.16

DRAFT

LLS NO. 17-0262.02 Kate Meyer x4348

BILL (3)(a)

Statutory Revision Committee

BILL TOPIC: "Modernize Laws Relating To Office Of State Auditor"

A BILL FOR AN ACT

101 **CONCERNING MODERNIZATION OF VARIOUS LAWS RELATING TO THE**
102 **OFFICE OF THE STATE AUDITOR.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill updates various statutes pertaining to the office of the state auditor (OSA).

Currently, the legislative audit committee (LAC) has the discretion to direct the state auditor to conduct a performance audit of any public highway authority; except that the LAC may not do so in any year during which the interim transportation legislation review committee (TLRC)

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

meets. However, the TLRC is statutorily required to meet every year. Consequently, **section 1** of the bill repeals the timing limitation so that such a performance audit can be requested at any time.

The executive director of the department of revenue (DOR) is currently required to account monthly to the state treasurer regarding working capital retained by DOR and to provide copies of this accounting to the governor and the state auditor. Because DOR does not retain working capital, **section 2** repeals this obsolete provision. Additionally, the state treasurer must provide copies of receipts for moneys transmitted daily from the executive director of DOR to the state auditor, in addition to providing one copy to the executive director and retaining one copy for his or her files. Section 2 also removes the requirement to provide the state auditor these copies.

Pursuant to a statute created in 1881, holders of warrants from counties with more than \$50,000 in floating indebtedness may exchange those warrants for county bonds, if the exchange is approved by election. County bonds so exchanged must be registered with OSA, and a ten-cent fee must be paid to OSA for recording each bond. Because this registration provision is obsolete, **section 3** repeals the registration and recording fee requirements.

Section 4 repeals an obsolete provision relating to an audit of the estimated actual operating costs of the enhanced emissions inspections program contractor, which audit was required to be completed by the end of 2001.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 2-3-121 as

3 follows:

4 **2-3-121. Performance audits of public highway authorities.** At

5 the discretion of the legislative audit committee, the state auditor shall

6 conduct or cause to be conducted a performance audit of any public

7 highway authority created and operating pursuant to part 5 of article 4 of

8 title 43. C.R.S.; ~~except that the legislative audit committee may not~~

9 ~~require the state auditor to conduct such a performance audit during any~~

10 ~~year in which the transportation legislation review committee created in~~

11 ~~section 43-2-145 (1), C.R.S., is required or authorized to meet.~~ The state

1 auditor shall prepare a report and recommendations on each audit
2 conducted and shall present the report and recommendations to the
3 committee. The state auditor shall pay the costs of any audit conducted
4 pursuant to this section.

5 **SECTION 2.** In Colorado Revised Statutes, **amend** 24-35-106 as
6 follows:

7 **24-35-106. Deposits by executive director.** The executive
8 director of the department of revenue, before the close of each business
9 day, shall deposit with the state treasurer all sums of money collected by
10 the department of revenue. ~~The executive director may retain for the use~~
11 ~~of the department of revenue a working capital account in such~~
12 ~~reasonable amount as may be determined by the executive director and~~
13 ~~the state treasurer. In the event of disagreement or dispute between them~~
14 ~~as to the amount of working capital, the question of the reasonable~~
15 ~~amount of working capital shall be submitted for determination to the~~
16 ~~governor, whose decision shall be final. The executive director shall~~
17 ~~account to the state treasurer on or before the first day of each month for~~
18 ~~the working capital of the department of revenue thus retained, and one~~
19 ~~copy of such accounting shall be delivered to the governor, one copy to~~
20 ~~the state treasurer, and one copy to the state auditor. The state treasurer,~~
21 ~~upon receipt of any moneys from the executive director, shall give his~~
22 ~~receipt therefor, execute the same~~ A RECEIPT FOR THE MONEYS in
23 ~~triplicate, and deliver~~ DUPLICATE, DELIVERING one copy of such THE
24 receipt to the executive director ~~one copy to the state auditor, and shall~~
25 ~~retain~~ RETAINING the ~~third~~ OTHER copy thereof in his OR HER files.

26 **SECTION 3.** In Colorado Revised Statutes, 30-26-101, **amend**
27 (5) as follows:

1 **30-26-101. Exchange of warrants for bonds - notice.** (5) No
2 bond shall be issued of less denomination than fifty dollars and, if issued
3 for a greater amount, for some multiple of that sum. ~~Such~~ THE bonds shall
4 bear interest at a rate such that the net effective interest rate of the issue
5 of bonds does not exceed the maximum net effective interest rate
6 authorized, the interest to be paid semiannually at the office of the county
7 treasurer or at the city of New York, at the option of the holders thereof,
8 upon the production of the proper coupons for the same, ~~such~~ THE bonds
9 to be payable at the pleasure of the county after ten years from the date of
10 their issuance, but absolutely due and payable twenty years after the date
11 of issue. The whole amount of bonds issued under this part 1 shall not
12 exceed the sum of the county indebtedness at the date of the first
13 publication of the notice submitting the question of funding the county
14 indebtedness; and the amount shall be determined by the board of county
15 commissioners, and a certificate made of the same, and made a part of the
16 records of the county; and any bond issued in excess of ~~such~~ THAT sum
17 shall be void. ~~All bonds issued under the provisions of this part 1 shall be~~
18 ~~registered in the office of the state auditor, to whom a fee of ten cents~~
19 ~~shall be paid for recording each bond; except that the state auditor by rule~~
20 ~~or as otherwise provided by law may reduce the amount of the fee if~~
21 ~~necessary pursuant to section 24-75-402 (3), C.R.S., to reduce the~~
22 ~~uncommitted reserves of the fund to which all or any portion of the fee is~~
23 ~~credited. After the uncommitted reserves of the fund are sufficiently~~
24 ~~reduced, the state auditor by rule or as otherwise provided by law may~~
25 ~~increase the amount of the fee as provided in section 24-75-402 (4),~~
26 ~~C.R.S.~~

27 **SECTION 4.** In Colorado Revised Statutes, 42-4-311, **amend**

1 (6)(b) as follows:

2 **42-4-311. Operation of inspection and readjustment stations**
3 **- inspection-only facilities - fleet inspection stations - motor vehicle**
4 **dealer test facilities - enhanced inspection centers.** (6) (b) During the
5 two-year renewal of the contract entered into pursuant to section 42-4-307
6 (10), the commission shall hold a hearing to determine the maximum fee
7 that may be charged pursuant to the contract for inspections during any
8 subsequent renewal term. ~~Such~~ THE maximum fee ~~shall~~ MUST be based
9 on estimated actual operating costs during the life of the contract,
10 determined pursuant to the proceeding, ~~and an audit conducted by the~~
11 ~~office of the state auditor on the contractor,~~ plus a percentage to be
12 determined by the commission, not to exceed ten percent and not to
13 exceed twenty-five dollars.

14 **SECTION 5. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2018 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
12.6.16

DRAFT

LLS NO. 17-0261.01 Kate Meyer x4348

BILL (3)(b)

Statutory Revision Committee

BILL TOPIC: "Update Natl Standards Citations Accessible Housing"

A BILL FOR AN ACT

101 **CONCERNING UPDATING REFERENCES TO A NATIONAL STANDARD**
102 **SETTING FORTH TECHNICAL CRITERIA FOR ACCESSIBLE**
103 **HOUSING.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill amends references to an out-of-date version of a standard, promulgated by the American national standards institute, that governs construction of accessible housing.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 9-5-101, **amend** the
3 introductory portion, (2), (3), (10), (11), (12), (13), and (14) as follows:

4 **9-5-101. Definitions.** As used in this ~~article~~ ARTICLE 5, unless the
5 context otherwise requires:

6 (2) "Accessible route" means an interior or exterior circulation
7 path that complies ~~with the provisions contained in "ANSI A117.1-1998"~~
8 WITH ANSI A117.1.

9 (3) ~~"ANSI A117.1-1998" means the 1998 version of the~~
10 ~~"American National Standard for Buildings and Facilities Providing~~
11 ~~Accessibility and Usability for Physically Handicapped People"~~ "ANSI
12 A117.1" MEANS THE "ACCESSIBLE AND USABLE BUILDINGS AND
13 FACILITIES" STANDARD, OR ANY SUCCESSOR STANDARD, promulgated AND
14 AMENDED FROM TIME TO TIME by the American national standards
15 institute.

16 (10) "Type A dwelling unit" means a dwelling unit designed in
17 accordance ~~with the provisions of ANSI A117.1-1998~~ WITH ANSI
18 A117.1, section 1002, OR ANY SUCCESSOR SECTION WITHIN ANSI A117.1.

19 (11) "Type A multistory dwelling unit" means a multiple story
20 dwelling unit with a ground story level designed in accordance ~~with the~~
21 ~~provisions of ANSI A117.1-1998~~ WITH ANSI A117.1, section 1002, OR
22 ANY SUCCESSOR SECTION WITHIN ANSI A117.1, and, if provided,
23 accessible laundry facilities on the ground story level.

24 (12) "Type B dwelling unit" means a dwelling unit with a ground
25 floor level designed in accordance ~~with the provisions of ANSI~~
26 ~~A117.1-1998~~ WITH ANSI A117.1, section 1003, OR ANY SUCCESSOR
27 SECTION WITHIN ANSI A117.1.

1 (13) "Type B multistory dwelling unit" means a multiple-story
2 dwelling unit with a ground story level that is designed in accordance
3 ~~with the provisions of ANSI A117.1-1998~~ WITH ANSI A117.1, section
4 1003, OR ANY SUCCESSOR SECTION WITHIN ANSI A117.1, and, if
5 provided, accessible laundry facilities on the ground story level.

6 (14) "Type B visitable ground floor" means a multiple-story
7 dwelling unit with an accessible entrance and toilet facility designed in
8 accordance ~~with the provisions of ANSI A117.1-1998~~ WITH ANSI
9 A117.1, section 1003, OR ANY SUCCESSOR SECTION WITHIN ANSI A117.1.

10 **SECTION 2.** In Colorado Revised Statutes, 9-5-102, **amend** (2)
11 as follows:

12 **9-5-102. Disabilities covered - purpose. (2) Design criteria.**
13 Design criteria ~~shall~~ MUST comply with ~~the 1998 version of the~~
14 ~~"American National Standard for Buildings and Facilities Providing~~
15 ~~Accessibility and Usability for Physically Handicapped People",~~
16 ~~promulgated by the American national standard institute, commonly cited~~
17 ~~as "ANSI A117.1-1998"~~ ANSI A117.1.

18 **SECTION 3.** In Colorado Revised Statutes, 9-5-103, **amend** (3)
19 introductory portion and (3)(a) as follows:

20 **9-5-103. Applicability of standards - enforcement. (3)** Any
21 building or facility that would have been subject to ~~the provisions of this~~
22 ~~article~~ THIS ARTICLE 5 but was under construction prior to July 1, 1976,
23 ~~shall~~ MUST comply with the following:

24 (a) If the walls or defining boundaries of an element or space are
25 altered, then the altered element or space shall comply with the applicable
26 provisions of section 9-5-105, unless such alteration is technically
27 infeasible. If full compliance with this article is technically infeasible,

1 compliance shall be implemented up to the point of technical infeasibility.
2 No alteration shall be undertaken that negatively impacts accessibility of
3 a building or facility pursuant to ~~ANSI A117.1-1998~~ TO ANSI A117.1.
4 This ~~paragraph (a)~~ SUBSECTION (3)(a) shall not be construed to require the
5 moving of any existing walls not otherwise planned to be moved.

6 **SECTION 4. Act subject to petition - effective date -**
7 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
8 the expiration of the ninety-day period after final adjournment of the
9 general assembly (August 9, 2017, if adjournment sine die is on May 10,
10 2017); except that, if a referendum petition is filed pursuant to section 1
11 (3) of article V of the state constitution against this act or an item, section,
12 or part of this act within such period, then the act, item, section, or part
13 will not take effect unless approved by the people at the general election
14 to be held in November 2018 and, in such case, will take effect on the
15 date of the official declaration of the vote thereon by the governor.
16 (2) This act applies to buildings and facilities constructed or
17 altered on or after the applicable effective date of this act.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
12.5.16

DRAFT

LLS NO. 17-0263.01 Kate Meyer x4348

BILL (3)(c)

Statutory Revision Committee

BILL TOPIC: "Modernize Procedures For Unpaid Checks & Warrants"

A BILL FOR AN ACT

101 **CONCERNING THE MODERNIZATION OF PROCEDURES PERTAINING TO**
102 **WARRANTS AND CHECKS NOT YET PRESENTED TO THE STATE**
103 **TREASURER FOR PAYMENT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill modernizes current practices relating to warrants and checks not timely presented to the state treasurer for payment by:

- Repealing the requirement that a list of the state's outstanding warrants and checks from the prior completed

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

- fiscal year be posted in the offices of the state treasurer and controller; and

 - Aligning the expiration of such warrants and checks with the "Unclaimed Property Act".

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-202, **amend**

3 (9)(a) as follows:

4 **24-30-202. Procedures - vouchers, warrants, and checks -**

5 **rules - penalties.** (9) (a) ~~During the month of May of each year, a list of~~

6 ~~all warrants and checks drawn and issued during the last completed fiscal~~

7 ~~year that have not then been presented to the state treasurer for payment~~

8 ~~shall be posted in a conspicuous place in the offices of the controller and~~

9 ~~the state treasurer. Such list shall recite the number, date of issue, name~~

10 ~~of payee, and amount of each such warrant and check. Every warrant and~~

11 ~~check so listed that shall remain~~ DRAWN AND ISSUED THAT HAS NOT BEEN

12 PRESENTED TO THE STATE TREASURER FOR PAYMENT AND REMAINS unpaid

13 ~~on the last working day in the month of June of each year~~ SIX MONTHS

14 FROM THE DATE OF ISSUANCE shall be ~~scheduled for cancellation as of~~

15 ~~said date and expunged from the records of the controller and the state~~

16 ~~treasurer, and the amount thereof shall be credited to the general fund or,~~

17 ~~if practicable, to the account to which originally charged~~ TRANSFERRED

18 TO THE UNCLAIMED PROPERTY TRUST FUND CREATED IN SECTION

19 38-13-116.5; except that the amount of any warrant or check drawn on the

20 wildlife cash fund created in section 33-1-112 (1), ~~C.R.S.~~, other than a

21 warrant or check refunding a license fee submitted as part of an

22 unsuccessful limited license application, shall be credited to ~~said~~ THAT

23 fund AND THE AMOUNT OF ANY WARRANT OR CHECK REPRESENTING

1 MONEYS RECEIVED BY THE FEDERAL GOVERNMENT SHALL BE PROCESSED
2 IN ACCORDANCE WITH FEDERAL PROGRAM GUIDELINES FOR DISPOSITION
3 OF THOSE MONEYS.

4 **SECTION 2. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety. <{*Although the lists*
7 *are not currently being posted, using a safety clause will allow the bill*
8 *to take effect prior to the 2017 posting deadline.*>

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
10.27.16

DRAFT

LLS NO. 17-0258.01 Jane Ritter x4342

BILL (3)(d)

Statutory Revision Committee

BILL TOPIC: "Statutory Revision Cmt CDE Title 22 Corrections"

DEADLINES: Finalize by: JAN 12, 2017 File by: JAN 17, 2017

A BILL FOR AN ACT

101 **CONCERNING RECOMMENDATIONS RELATED TO TITLE 22 FROM THE**
102 **DEPARTMENT OF EDUCATION TO THE STATUTORY REVISION**
103 **COMMITTEE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill implements 2 recommendations related to title 22 from the department of education to the statutory revision committee.

The first recommendation is to change the single remaining statutory reference in title 22 that names October 1 as a mileage or pupil

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Dashes through the words indicate deletions from existing statute.*

enrollment count date to the "pupil enrollment count day, as defined in section 22-54-103 (10.5)" in order to conform with the rest of the references in title 22.

The second recommendation is to delete from statute the phrases "accredited independent school" and "accredited nonpublic school" because the state board of education does not accredit either type of school.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 22-51-105, **amend**
3 (1) as follows:

4 **22-51-105. Certifications by school boards, governing boards,**
5 **and facility schools - rules.** (1) On or before August 15 of each year, the
6 school board of each school district entitled to and desiring
7 reimbursement under this ~~article~~ ARTICLE 51, the state charter school
8 institute board, and each facility school entitled to and desiring
9 reimbursement under this ~~article~~ ARTICLE 51 shall certify to the state
10 board of education, on forms ~~to be~~ provided by the commissioner of
11 education, ~~such~~ ANY information as ~~the board shall deem~~ THE BOARD
12 DEEMS necessary to determine the reimbursement entitlement of the
13 district, the institute, or the facility school. ~~including, but~~ THE
14 INFORMATION INCLUDES, BUT IS not limited to, the total amount of the
15 school district's, ~~the~~ institute's, or ~~the~~ facility school's current operating
16 expenditures for pupil transportation during the preceding entitlement
17 period, the total number of miles traveled and the total number of pupils
18 transported on ~~October 1, or the school day nearest said date~~ THE PUPIL
19 ENROLLMENT COUNT DAY, AS DEFINED IN SECTION 22-54-103 (10.5),
20 during the preceding entitlement period by vehicles operated by or for the
21 school district, the institute, or the facility school in providing pupil
22 transportation, and the transportation route descriptions in effect on ~~said~~

1 ~~date~~ THE PUPIL ENROLLMENT COUNT DAY.

2 **SECTION 2.** In Colorado Revised Statutes, 22-60.5-102, **amend**
3 the introductory portion, (4), (10), and (15)(a); and **repeal** (2) as follows:

4 **22-60.5-102. Definitions.** As used in this ~~article~~ ARTICLE 60.5,
5 unless the context otherwise requires:

6 (2) ~~"Accredited independent school" means any independent~~
7 ~~school which is accredited by the state board of education pursuant to the~~
8 ~~rules and regulations of said board.~~

9 (4) "Alternative teacher contract" means a contract, as described
10 in section 22-60.5-207, entered into for an alternative teacher position by
11 a holder of an alternative teacher license pursuant to section 22-60.5-201
12 (1)(a) and a school district ~~accredited nonpublic school~~, or board of
13 cooperative services that provides a one-year or two-year alternative
14 teacher program.

15 (10) "Designated agency" means a school district or districts, ~~an~~
16 ~~accredited nonpublic school~~, a board of cooperative services, an accepted
17 institution of higher education, or a nonprofit organization, or any
18 combination thereof, ~~which~~ THAT is responsible for the organization,
19 management, and operation of an approved alternative teacher program.

20 (15) "Mentor teacher" means:

21 (a) ~~Any teacher who is~~ A TEACHER designated by the school
22 district ~~or accredited independent school~~ employing an alternative teacher
23 and who has demonstrated outstanding teaching and school leadership
24 and can provide exemplary modeling and counseling to alternative
25 teachers participating in an alternative teacher program; or

26 **SECTION 3.** In Colorado Revised Statutes, 22-60.5-115, **amend**
27 (2) introductory portion, (2)(c) introductory portion, and (2)(c)(III) as

1 follows:

2 **22-60.5-115. Rules.** (2) The state board of education shall
3 promulgate rules ~~and regulations~~ as necessary to implement sections
4 22-60.5-201 (1)(a) and 22-60.5-205. ~~Such rules and regulations shall~~ THE
5 RULES MUST include, but need not be limited to, the following:

6 (c) Criteria relating to the designation of mentor teachers by
7 school districts ~~and accredited independent schools~~ providing alternative
8 teacher programs. ~~Such~~ THE guidelines may include ~~but shall not be~~
9 ~~limited to~~, consideration of the following factors in regard to potential
10 mentor teachers:

11 (III) The general consensus of professional opinion in ~~such~~ THE
12 school district. ~~or accredited independent school.~~

13 **SECTION 4.** In Colorado Revised Statutes, 22-60.5-207, **amend**
14 (1) as follows:

15 **22-60.5-207. Alternative teacher contracts.** (1) Alternative
16 teacher contracts may include ~~but are not limited to~~, terms and conditions
17 ~~which~~ THAT:

18 (a) Differ from any terms and conditions of contracts of ~~such~~ THE
19 school district ~~or accredited independent school~~ for first-year employees
20 who are licensed other than as alternative teachers;

21 (b) Define those conditions unique to the responsibilities and
22 duties of an alternative teacher and the alternative teacher program of
23 ~~such~~ THE school district; ~~or accredited independent school~~;

24 (c) Establish the right of the employing school district ~~or~~
25 ~~accredited independent school~~ to terminate ~~such~~ THE alternative teacher
26 contract at any time during the first three months of employment;
27 however, ~~such action shall be taken only~~ THE EMPLOYING SCHOOL

1 DISTRICT MUST ONLY TAKE SUCH ACTION after consideration of a
2 recommendation of the alternative teacher support team for ~~such~~ THE
3 alternative teacher and ~~shall not be~~ IS NOT subject to appeal by ~~such~~ THE
4 alternative teacher.

5 **SECTION 5.** In Colorado Revised Statutes, 19-2-1002, **amend**
6 (9)(c)(I) as follows:

7 **19-2-1002. Juvenile parole. (9) Parole discharge.** (c) The board
8 may discharge a juvenile from parole before completion of the mandatory
9 six-month parole period when the board finds that the juvenile meets, at
10 a minimum, all of the following conditions of special achievement:

11 (I) Graduation from a public ~~or accredited nonpublic~~ high school
12 or successful completion of a high school equivalency examination, as
13 that term is defined in section 22-33-102 (8.5); ~~C.R.S.;~~

14 **SECTION 6.** In Colorado Revised Statutes, 22-60.5-201, **amend**
15 (1)(a)(IV) and (1)(a)(V) as follows:

16 **22-60.5-201. Types of teacher licenses issued - term.** (1) The
17 department is designated as the sole agency authorized to issue the
18 following teacher licenses to persons of good moral character:

19 (a) **Alternative teacher license.** (IV) An alternative teacher
20 license ~~shall be~~ IS valid in any school district ~~or accredited nonpublic~~
21 ~~school and shall entitle its~~ AND ENTITLES THE holder to work exclusively
22 as an alternative teacher pursuant to the terms of an alternative teacher
23 contract. A holder of an alternative teacher license is the teacher of
24 record.

25 (V) For applicants enrolled in a one-year alternative teacher
26 program, the alternative teacher license issued pursuant to this paragraph
27 ~~(a) shall be~~ SUBSECTION (1)(a) IS valid for a period of one year after the

1 date of issuance and may be renewed for only one additional year, but
2 only upon written evidence that the employing school district ~~accredited~~
3 ~~nonpublic school~~, or board of cooperative services anticipates extending
4 the alternative teacher's contract for one additional year pursuant to ~~the~~
5 ~~provisions of~~ section 22-60.5-207 (2). For applicants enrolled in a
6 two-year alternative teacher program, the alternative teacher license
7 issued pursuant to this ~~paragraph (a) shall be~~ SUBSECTION (1)(a) IS valid
8 for a period of two years after the date of issuance.

9 **SECTION 7.** In Colorado Revised Statutes, 22-60.5-205, **amend**
10 (3)(b)(I) as follows:

11 **22-60.5-205. One-year and two-year alternative teacher**
12 **programs - legislative declaration - standards and evaluation - duties**
13 **of department - duties of the state board of education - fees.**

14 (3) (b) (I) The state board of education shall, at its discretion, approve an
15 application by a designated agency seeking to provide an alternative
16 teacher program. The application ~~shall~~ MUST meet the requirements of
17 this section and any rules established by the state board of education. The
18 state board of education is authorized to resolve any differences that may
19 arise between school districts ~~accredited nonpublic schools~~, and accepted
20 institutions of higher education ~~with regard to~~ REGARDING alternative
21 teacher programs.

22 **SECTION 8.** In Colorado Revised Statutes, **amend** 22-60.5-206
23 as follows:

24 **22-60.5-206. Alternative teacher support teams - duties -**
25 **advisory councils.** (1) THE DESIGNATED AGENCY SHALL ESTABLISH an
26 alternative teacher support team ~~shall be established by the designated~~
27 ~~agency~~ for each holder of an alternative teacher license employed as an

1 alternative teacher through an alternative teacher program. At a minimum,
2 each alternative teacher support team ~~shall be composed of~~ MUST
3 INCLUDE an alternative teacher's mentor teacher and the principal and a
4 representative of an accepted institution of higher education, if applicable.

5 (2) The alternative teacher support team shall:

6 (a) Establish the content of the required program of planned
7 instruction and activities;

8 (b) Determine at what point in the program an alternative teacher
9 may have responsibility for classroom instruction;

10 (c) Ensure that a significant portion of the teaching assignment of
11 an alternative teacher is in the subject matter area or areas of the
12 alternative teacher's endorsement;

13 (d) Evaluate the progress and effectiveness of an alternative
14 teacher; and

15 (e) Make a recommendation to the school district ~~or accredited~~
16 ~~nonpublic school~~ that employs an alternative teacher concerning his or
17 her eligibility to receive an initial teacher license or whether he or she is
18 unable to complete the one-year alternative teacher program due to
19 unforeseen circumstances, but should apply for an extension of the
20 alternative teacher license with the expectation that he or she will
21 complete his or her program within one additional year.

22 (3) As a member of an alternative teacher support team, the
23 mentor teacher has primary responsibility for representing the faculty and
24 parents in evaluating and making recommendations regarding the
25 issuance of an initial teacher license to an alternative teacher or renewal
26 of an alternative teacher license for one additional year. In recognition of
27 the significant duties and responsibilities of mentor teachers, the

1 designating school district ~~or accredited nonpublic school~~ shall make
2 appropriate provisions as are necessary to ensure the proper discharge of
3 ~~such~~ THE duties and responsibilities by the mentor teacher.

4 (4) In addition, for purposes of carrying out any alternative
5 teacher program approved by the state board of education, any designated
6 agency shall establish an advisory council that ~~shall include~~ INCLUDES, at
7 a minimum, representatives of each school district, ~~or accredited~~
8 ~~nonpublic school~~, including at least one mentor teacher and a
9 representative of ~~any~~ AN accepted institution of higher education in the
10 designated agency.

11 **SECTION 9. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2018 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
12.6.16

DRAFT

LLS NO. 17-0265.01 Kip Kolkmeier x4510

BILL (3)(e)(i)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By Dept Of Corrections To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF CORRECTIONS TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement.

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

Sections 1 through 5, 7, and 9 through 11 repeal reports related to corrections that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

Sections 6 and 8 of the bill add a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 17-1-104.3, **repeal**
3 (5) as follows:

4 **17-1-104.3. Correctional facilities - locations - security level.**

5 ~~(5) Monthly the department shall submit a project status report on~~
6 ~~construction and monthly population and capacity report to the office of~~
7 ~~state planning and budgeting, the joint budget committee, the capital~~
8 ~~development committee, and legislative council. The monthly population~~
9 ~~and capacity report shall include information on state and private contract~~
10 ~~facilities including but not limited to operational capacity for the previous~~
11 ~~month, the month just ending and capacity changes, on grounds~~
12 ~~population, and operational capacity for this period in the previous year.~~
13 ~~The department shall include total beds occupied in each facility, state or~~
14 ~~private contract, by custody level and by gender. The report shall itemize~~
15 ~~operational capacities for jail backlog, community corrections, parole,~~
16 ~~youthful offenders, escapees, and revocations.~~

17 **SECTION 2.** In Colorado Revised Statutes, 17-1-113.9, **repeal**
18 (1) as follows:

19 **17-1-113.9. Use of administrative segregation for state**
20 **inmates.** ~~(1) On or before January 1, 2012, and each January 1 thereafter,~~
21 ~~the executive director shall provide a written report to the judiciary~~
22 ~~committees of the senate and house of representatives, or any successor~~

1 ~~committees, concerning the status of administrative segregation;~~
2 ~~reclassification efforts for offenders with mental illnesses or~~
3 ~~developmental disabilities, including duration of stay, reason for~~
4 ~~placement, and number and percentage discharged; and any internal~~
5 ~~reform efforts since July 1, 2011.~~

6 **SECTION 3.** In Colorado Revised Statutes, 17-1-115.7, **repeal**
7 (2) as follows:

8 **17-1-115.7. Prevention of sexual assaults on youthful inmates**
9 **- compliance with federal law - definitions.** (2) ~~On or before October~~
10 ~~1, 2013, and on or before each October 1 thereafter, the department shall~~
11 ~~report to the judiciary committees of the house of representatives and~~
12 ~~senate, or any successor committees, concerning the implementation of~~
13 ~~the policies described in subsection (1) of this section within the youth~~
14 ~~offender system described in section 18-1.3-407.5, C.R.S.~~

15 **SECTION 4.** In Colorado Revised Statutes, 17-1-115.8, **repeal**
16 (1) as follows:

17 **17-1-115.8. Corrections officer staffing - double shift criteria**
18 **- definitions.** (1) ~~The department shall prepare a report for the members~~
19 ~~of the general assembly by January 15, 2014, and by January 15 each year~~
20 ~~thereafter, regarding corrections officer staffing levels. The report must~~
21 ~~include:~~

22 ~~(a) Staffing levels for corrections officers at each correctional~~
23 ~~facility and private contract prison in Colorado;~~

24 ~~(b) Staffing levels for corrections officers for each correctional~~
25 ~~facility security level; and~~

26 ~~(c) A comparison of staffing levels at Colorado correctional~~
27 ~~facilities and the national standards adopted by the national institute of~~

1 ~~corrections and the American correctional association.~~

2 **SECTION 5.** In Colorado Revised Statutes, 17-1-201, **repeal** (2)
3 as follows:

4 **17-1-201. Duties of department.** (2) ~~No later than December 1~~
5 ~~of each fiscal year, beginning with the 1996-97 fiscal year, the executive~~
6 ~~director shall submit a report to the speaker of the house of~~
7 ~~representatives and the president of the senate concerning the status of~~
8 ~~contracts in effect, and, with respect to completed prisons, the~~
9 ~~effectiveness of each private contract prison governed by a contract with~~
10 ~~the department.~~

11 **SECTION 6.** In Colorado Revised Statutes, 17-2-102, **amend**
12 (13) as follows:

13 **17-2-102. Division of adult parole - general powers, duties, and**
14 **functions - definitions - repeal.** (13) (a) On or before January 1, 2016,
15 and on or before January 1 each year thereafter, the division of adult
16 parole shall provide to the judiciary committees of the senate and the
17 house of representatives, or any successor committees, a status report on
18 the effect on parole outcomes and the use of any moneys allocated
19 pursuant to Senate Bill 15-124, enacted in 2015.

20 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
21 (13) IS REPEALED, EFFECTIVE JANUARY 2, 2019.

22 **SECTION 7.** In Colorado Revised Statutes, 17-2-201, **repeal**
23 (3.5) as follows:

24 **17-2-201. State board of parole - definitions.** (3.5) ~~The~~
25 ~~chairperson shall annually make a presentation to the judiciary~~
26 ~~committees of the house of representatives and the senate, or any~~
27 ~~successor committees, regarding the operations of the board and the~~

1 ~~information required by section 17-22.5-404.5 (4).~~

2 **SECTION 8.** In Colorado Revised Statutes, 17-33-101, **amend**
3 (8) as follows:

4 **17-33-101. Reentry planning and programs for adult parole**
5 **- grant program - rules - reports - repeal.** (8) (a) On and after January
6 1, 2016, during its annual presentation before the joint judiciary
7 committee of the general assembly, or any successor joint committee,
8 pursuant to section 2-7-203, ~~C.R.S.~~, the department shall include a status
9 report regarding the progress and outcomes of the initiatives developed
10 and implemented by the department pursuant to this section during the
11 preceding year.

12 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
13 (8) IS REPEALED, EFFECTIVE JANUARY 2, 2019.

14 **SECTION 9.** In Colorado Revised Statutes, 18-1.3-1011, **repeal**
15 (1) as follows:

16 **18-1.3-1011. Annual report.** (1) ~~On or before November 1,~~
17 ~~2000, and on or before each November 1 thereafter, the department of~~
18 ~~corrections, the department of public safety, and the judicial department~~
19 ~~shall submit a report to the judiciary committees of the house of~~
20 ~~representatives and the senate, or any successor committees, and to the~~
21 ~~joint budget committee of the general assembly specifying, at a minimum:~~

22 ~~(a) The impact on the prison population, the parole population,~~
23 ~~and the probation population in the state due to the extended length of~~
24 ~~incarceration and supervision provided for in sections 18-1.3-1004,~~
25 ~~18-1.3-1006, and 18-1.3-1008;~~

26 ~~(b) The number of offenders placed in the intensive supervision~~
27 ~~parole program and the intensive supervision probation program and the~~

1 ~~length of supervision of offenders in said programs;~~

2 ~~(c) The number of sex offenders sentenced pursuant to this part~~
3 ~~10 who received parole release hearings and the number released on~~
4 ~~parole during the preceding twelve months, if any;~~

5 ~~(d) The number of sex offenders sentenced pursuant to this part~~
6 ~~10 who received parole or probation discharge hearings and the number~~
7 ~~discharged from parole or probation during the preceding twelve months,~~
8 ~~if any;~~

9 ~~(e) The number of sex offenders sentenced pursuant to this part~~
10 ~~10 who received parole or probation revocation hearings and the number~~
11 ~~whose parole or probation was revoked during the preceding twelve~~
12 ~~months, if any;~~

13 ~~(f) A summary of the evaluation instruments developed by the~~
14 ~~management board and use of the evaluation instruments in evaluating~~
15 ~~sex offenders pursuant to this part 10;~~

16 ~~(g) The availability of sex offender treatment providers~~
17 ~~throughout the state, including location of the treatment providers, the~~
18 ~~services provided, and the amount paid by offenders and by the state for~~
19 ~~the services provided, and the manner of regulation and review of the~~
20 ~~services provided by sex offender treatment providers;~~

21 ~~(h) The average number of sex offenders sentenced pursuant to~~
22 ~~this part 10 that participated in phase I and phase II of the department's~~
23 ~~sex offender treatment and monitoring program during each month of the~~
24 ~~preceding twelve months;~~

25 ~~(i) The number of sex offenders sentenced pursuant to this part 10~~
26 ~~who were denied admission to treatment in phase I and phase II of the~~
27 ~~department's sex offender treatment and monitoring program for reasons~~

1 ~~other than length of remaining sentence during each month of the~~
2 ~~preceding twelve months;~~

3 ~~(j) The number of sex offenders sentenced pursuant to this part 10~~
4 ~~who were terminated from phase I and phase II of the department's sex~~
5 ~~offender treatment and monitoring program during the preceding twelve~~
6 ~~months and the reason for termination in each case;~~

7 ~~(k) The average length of participation by sex offenders sentenced~~
8 ~~pursuant to this part 10 in phase I and phase II of the department's sex~~
9 ~~offender treatment and monitoring program during the preceding twelve~~
10 ~~months;~~

11 ~~(l) The number of sex offenders sentenced pursuant to this part 10~~
12 ~~who were denied readmission to phase I and phase II of the department's~~
13 ~~sex offender treatment and monitoring program after having previously~~
14 ~~been terminated from the program during the preceding twelve months;~~

15 ~~(m) The number of sex offenders sentenced pursuant to this part~~
16 ~~10 who were recommended by the department's sex offender treatment~~
17 ~~and monitoring program to the parole board for release on parole during~~
18 ~~the preceding twelve months and whether the recommendation was~~
19 ~~followed in each case; and~~

20 ~~(n) The number of sex offenders sentenced pursuant to this part~~
21 ~~10 who were recommended by the department's sex offender treatment~~
22 ~~and monitoring program for placement in community corrections during~~
23 ~~the preceding twelve months and whether the recommendation was~~
24 ~~followed in each case.~~

25 **SECTION 10.** In Colorado Revised Statutes, 18-3-414.5, **repeal**
26 **(4)** as follows:

27 **18-3-414.5. Sexually violent predators - assessment.** ~~(4) On or~~

1 before January 15, 2008, and on or before January 15 each year thereafter,
2 the judicial department and the department of corrections shall jointly
3 submit to the judiciary committees of the senate and the house of
4 representatives, or any successor committees, to the division of criminal
5 justice in the department of public safety, and to the governor a report
6 specifying the following information:

7 (a) The number of offenders evaluated pursuant to this section in
8 the preceding twelve months;

9 (b) The number of sexually violent predators identified pursuant
10 to this section in the preceding twelve months;

11 (c) The total number of sexually violent predators in the custody
12 of the department of corrections at the time of the report, specifying those
13 incarcerated, those housed in community corrections, and those on parole,
14 including the level of supervision for each sexually violent predator on
15 parole;

16 (d) The length of the sentence imposed on each sexually violent
17 predator in the custody of the department of corrections at the time of the
18 report;

19 (e) The number of sexually violent predators discharged from
20 parole during the preceding twelve months;

21 (f) The total number of sexually violent predators on probation at
22 the time of the report and the level of supervision of each sexually violent
23 predator on probation; and

24 (g) The number of sexually violent predators discharged from
25 probation during the preceding twelve months.

26 **SECTION 11.** In Colorado Revised Statutes, 42-3-301, **amend**
27 (2)(a) as follows:

1 **42-3-301. License plate cash fund - license plate fees.**

2 (2) (a) The fees imposed pursuant to subsection (1) of this section shall
3 be limited to the amount necessary to recover the costs of the production
4 and distribution of any license plates, decals, or validating tabs issued
5 pursuant to this ~~article~~ ARTICLE 3 and the related support functions
6 provided to the department of revenue by the division. The correctional
7 industries advisory committee, established pursuant to section 17-24-104
8 (2), ~~C.R.S.~~, shall annually review and recommend to the director of the
9 division the amounts of the fees to be imposed pursuant to subsection (1)
10 of this section. The director of the division, in cooperation and
11 consultation with the department of revenue and the office of state
12 planning and budgeting, shall annually establish the amounts of the fees
13 imposed pursuant to subsection (1) of this section to recover the division's
14 costs pursuant to this subsection (2). ~~On or before March 1, 2010, and on~~
15 ~~or before March 1 every five years thereafter, the director of the division~~
16 ~~shall file a written report with the transportation and energy committee of~~
17 ~~the house of representatives, or any successor committee, and the~~
18 ~~transportation committee of the senate, or any successor committee,~~
19 ~~concerning any change within the preceding five years in the amount of~~
20 ~~the fee imposed pursuant to subsection (1) of this section and the reason~~
21 ~~for the change in the fee.~~

22 **SECTION 12. Act subject to petition - effective date.** This act

23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2018 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.15.16

DRAFT

LLS NO. 17-0266.01 Kip Kolkmeier x4510

BILL (3)(e)(ii)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By Education Agencies To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY EDUCATIONAL**
102 **AGENCIES TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement. The bill addresses the reporting requirements of educational agencies.

Sections 1 through 10, 12 through 18, and 20 through 43 of the bill repeal reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

Sections 8 and 30 of the bill add repeal dates in the organic statute that coincide with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

Sections 11, 16, and 19 of the bill amend the organic statute to remove requirements to send a report to the education committees and the joint budget committee of the general assembly after the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

Be it enacted by the General Assembly of the State of Colorado:

<{Section 22-2-109(7)(b) requires a report to the GA to be discussed at a required legislative joint committee hearing. A higher education required report is also the subject of the same hearing under Section 23-1-121(6). For purposes of this draft, both reports and the hearing that is convened to hear the reports are repealed. However, the committee may wish to consider preserving the required hearing, with or without receiving these two specific reports.}>

SECTION 1. In Colorado Revised Statutes, 22-2-109, **amend** (7)(b) as follows:

22-2-109. State board of education - additional duties - teacher standards - principal standards. (7) (b) The state board shall submit ~~MUST annually to the education committees of the house of representatives and the senate, or any successor committees,~~ PREPARE a written summary report of the results of the survey conducted pursuant to paragraph (a) of this subsection (7). ~~In submitting the report, the state board shall ensure that the report for the current year and the preceding year's report, if one exists, are available to the education committees for~~

1 ~~consideration at the biennial joint meeting held pursuant to section~~
2 ~~22-60.5-116.5.~~ The state board shall also submit the report annually to the
3 governor, the Colorado commission on higher education, and the
4 institutions of higher education that operate principal preparation
5 programs.

6 **SECTION 2.** In Colorado Revised Statutes, 23-1-121, **amend** (6)
7 as follows:

8 **23-1-121. Commission directive - approval of educator**
9 **preparation programs - review.** (6) The department shall annually
10 prepare a report concerning the enrollment in, graduation rates from, and
11 effectiveness of the review of educator preparation programs authorized
12 by the commission. In addition the report shall include data on the
13 outcomes of graduates of educator preparation programs pursuant to
14 section 22-2-112 (1)(q). ~~C.R.S.~~ The report shall also state the percentage
15 of educator candidates graduating from each program during the
16 preceding twelve months that applied for and received an initial license
17 pursuant to section 22-60.5-201, ~~C.R.S.~~, and the percentage of the
18 graduates who passed the assessments administered pursuant to section
19 22-60.5-203. ~~C.R.S.~~ For purposes of completing the report required
20 pursuant to this subsection (6), the department of higher education and the
21 department of education shall share any relevant data that complies with
22 state and federal regulations with the other agency. ~~The department shall~~
23 ~~provide notice to the education committees of the senate and the house of~~
24 ~~representatives, or any successor committees, that the report is available~~
25 ~~to the members of the committees upon request.~~

26 <{*The section repealed below is the required joint legislative*
27 *hearing referenced on page 2 above.*>

1 **SECTION 3.** In Colorado Revised Statutes, **repeal** 22-60.5-116.5
2 as follows:

3 **22-60.5-116.5. Education committees - evaluation of educator**
4 **preparation programs - biennial joint meeting.** ~~(1)(a) The committees~~
5 ~~on education of the house of representatives and the senate, or any~~
6 ~~successor committees, shall biennially hold a joint meeting to assess the~~
7 ~~reports received concerning the effectiveness of the approved educator~~
8 ~~preparation programs offered by accepted institutions of higher education~~
9 ~~in the state and the reports of the survey of superintendents conducted by~~
10 ~~the department of education and submitted by the state board of education~~
11 ~~pursuant to section 22-2-109 (7).~~

12 ~~(b) At the meeting, the committees shall consider the reports on~~
13 ~~the review of approved educator preparation programs received from the~~
14 ~~Colorado commission on higher education pursuant to section 23-1-121~~
15 ~~(6), C.R.S. The committees shall take testimony from representatives of~~
16 ~~the institutions of higher education that provide the educator preparation~~
17 ~~programs, the state board of education, the Colorado commission on~~
18 ~~higher education, and from any other interested persons. Based on the~~
19 ~~review of said reports and any testimony received, the committees shall~~
20 ~~assess whether the approved educator preparation programs are~~
21 ~~adequately preparing candidates to meet the performance-based educator~~
22 ~~licensure standards adopted by rule of the state board of education~~
23 ~~pursuant to section 22-2-109 (3).~~

24 ~~(c) At the meeting, the committees shall consider the reports of~~
25 ~~the survey of superintendents conducted by the department of education~~
26 ~~and submitted by the state board of education pursuant to section~~
27 ~~22-2-109 (7). The committees shall take testimony from representatives~~

1 of the institutions of higher education that provide the principal
2 preparation programs, the state board of education, the Colorado
3 commission on higher education, and from any other interested persons.
4 Based on the review of said reports and any testimony received, the
5 committees shall assess whether the approved principal preparation
6 programs and alternative forms of principal preparation are adequately
7 preparing principal candidates to meet the performance-based principal
8 licensure standards adopted by rule of the state board of education
9 pursuant to section 22-2-109 (6).

10 (2) If the committees, based on the reports received from the
11 Colorado commission on higher education and the state board of
12 education, determine that an approved educator preparation program is
13 not adequately preparing licensure candidates, the committees shall
14 instruct the Colorado commission on higher education to reduce the
15 funding received by the institution of higher education that provides the
16 approved educator preparation program during the next fiscal year. The
17 commission shall notify the committees of the amount of said reduction
18 prior to introduction of the annual general appropriation bill.

19 **SECTION 4.** In Colorado Revised Statutes, 22-2-110, **repeal** (5)
20 as follows:

21 **22-2-110. Commissioner of education - oath - qualifications -**
22 **tenure.** (5) The state board shall annually review and evaluate the job
23 performance of the commissioner, as provided in section 22-2-106 (1)
24 (b.5), and report the results of its evaluation to the public and the
25 education committees of the house of representatives and senate, or any
26 successor committees.

27 **SECTION 5.** In Colorado Revised Statutes, 22-2-106, **amend**

1 (1)(b.5) as follows:

2 **22-2-106. State board - duties - rules.** (1) It is the duty of the
3 state board:

4 (b.5) To review and evaluate annually the job performance of the
5 commissioner of education using procedures and criteria determined by
6 the state board. The procedures and criteria shall include, at a minimum,
7 consideration of the comments and opinions of school district
8 superintendents and school board members regarding the commissioner's
9 job performance. ~~The state board shall report the results of its evaluation~~
10 ~~to the education committees of the house of representatives and senate,~~
11 ~~or any successor committees.~~

12 **SECTION 6.** In Colorado Revised Statutes, 22-2-133, **amend** (3)
13 as follows:

14 **22-2-133. Assessment and identification of students with**
15 **literacy challenges including dyslexia - training and technical**
16 **assistance - collaboration with higher education - report.** (3) On or
17 before January 30, 2009, and on or before January 30 each year thereafter,
18 the department shall report to the state board of education ~~and to the~~
19 ~~education committees of the house of representatives and the senate, or~~
20 ~~any successor committees,~~ concerning the activities and status of any
21 technical assistance and training made available pursuant to this section.

22 <{*The section below is a variation on a requirement to report to*
23 *GA. It only requires notice to GA that a report is available upon*
24 *request. The committee may wish to consider if this notice requirement*
25 *falls squarely under 24-1-136(11)(a)(I)*>

26 **SECTION 7.** In Colorado Revised Statutes, 22-7-707, **amend** (3)
27 introductory portion as follows:

1 **22-7-707. Reporting requirements - progress reports - final**
2 **reports - state report.** (3) On or before January 15, 2002, and on or
3 before January 15 each year thereafter, the department shall submit to the
4 governor and the board of education in each school district in which a
5 grant recipient is located a state report on the teacher development grant
6 program. ~~At such times as the report is submitted to the governor, the~~
7 ~~department shall provide notice to the education committees of the senate~~
8 ~~and the house of representatives that the state report is available to the~~
9 ~~members of the committees upon request.~~ The state report shall include
10 the following information:

11 <{*The section below has several potential repeal dates. Pursuant*
12 *to 24-1-136(11)(a)(I), Subsection (1) should be repealed as of 2012, but*
13 *subsection (2) contemplates a report continuing until at least 2017.*
14 *There is also an additional requirement for the 2016 report and beyond.*
15 *The committee may wish to consider repealing subsection (1) and*
16 *setting a future repeal of (2), (3), and (4) at the three-year anniversary*
17 *from 2016. Please also note that in reviewing 22-7-1019(1) and (2),*
18 *there is a reference to section 22-7-1006.5(4)(c). That section is not*
19 *included in this bill because it is only a notice to the GA and not a*
20 *report.*>

21 **SECTION 8.** In Colorado Revised Statutes, 22-7-1019, **repeal**
22 (1); and **add** (5) as follows:

23 **22-7-1019. Preschool to postsecondary and workforce**
24 **readiness - progress reports - effectiveness reports - repeal.** (1) ~~On or~~
25 ~~before February 15, 2009, and on or before February 15 each year~~
26 ~~thereafter through 2012, the department of education shall submit to the~~
27 ~~education committees of the senate and the house of representatives, or~~

1 ~~any successor committees, a report summarizing the actions taken by the~~
2 ~~state board, the commission, and local education providers in~~
3 ~~implementing the requirements specified in this part 10. The department~~
4 ~~may include in the report recommendations, as may be necessary, for~~
5 ~~legislative changes in the time line for implementation of this part 10.~~

6 (2) On or before February 15, 2014, and on or before February 15
7 each year thereafter, the department of education shall submit to the
8 education committees of the senate and the house of representatives, or
9 any successor committees, a report concerning the results achieved
10 through implementation of school readiness, the preschool through
11 elementary and secondary education standards, and postsecondary and
12 workforce readiness.

13 (3) (a) At a minimum, the report shall include the following
14 information for the preceding academic year:

15 (I) The levels of school readiness demonstrated by students
16 enrolled in kindergarten;

17 (II) The number of students enrolling in the postsecondary and
18 workforce readiness programs and the number of students making
19 adequate longitudinal progress through and completing the postsecondary
20 and workforce readiness programs;

21 (III) The levels of postsecondary and workforce readiness
22 demonstrated by high school students; and

23 (IV) Beginning with the report submitted in 2016, the number of
24 students receiving a high school diploma that includes an endorsement,
25 identified by type of endorsement.

26 (b) The department of education shall present the information in
27 the report on a statewide basis and shall disaggregate the information by

1 school district, school, grade level, free or reduced-cost lunch eligibility
2 status, gender, and ethnicity, and by any other characteristic deemed by
3 the department to be meaningful.

4 (4) Each local education provider shall cooperate with the
5 department of education in providing the information necessary for the
6 reports prepared pursuant to this section.

7 (5) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SECTION IS
8 REPEALED, EFFECTIVE FEBRUARY 16, 2019.

9 **SECTION 9.** In Colorado Revised Statutes, 22-7-1213, **amend**
10 (3)(b) introductory portion as follows:

11 **22-7-1213. Reporting requirements.** (3) (b) The department
12 shall annually submit to the state board AND the governor ~~the president of~~
13 ~~the senate, the speaker of the house of representatives, and the education~~
14 ~~committees of the house of representatives and the senate, or any~~
15 ~~successor committees,~~ and shall post on the department website a report
16 that summarizes:

17 **SECTION 10.** In Colorado Revised Statutes, 22-10-105, **amend**
18 (2)(b) as follows:

19 **22-10-105. Evaluation of grants - report.** (2) (b) The office
20 shall submit the report to the governor's office AND the state board. ~~the~~
21 ~~joint budget committee of the general assembly, the education committees~~
22 ~~of the senate and the house of representatives, or any successor~~
23 ~~committees, the business, labor, and technology committee of the senate,~~
24 ~~or any successor committee, and the business, labor, economic, and~~
25 ~~workforce development committee of the house of representatives, or any~~
26 ~~successor committee.~~ The office shall also post the report on the
27 department's website for public viewing.

1 **SECTION 11.** In Colorado Revised Statutes, 22-13-105, **amend**
2 (4) as follows:

3 **22-13-105. School turnaround leader grants - application -**
4 **awards - report.** (4) During the term of the grant, each grant recipient
5 shall annually report to the department the information requested by the
6 department to monitor the effectiveness of the school turnaround leader
7 grants. The department shall analyze and summarize the reports received
8 from grant recipients and annually submit to the state board AND the
9 governor ~~and the education committees of the senate and the house of~~
10 ~~representatives, or any successor committees,~~ a report of the effectiveness
11 of the school turnaround leader grants awarded pursuant to this section.
12 The department shall also post the annual report on its website.

13 **SECTION 12.** In Colorado Revised Statutes, **repeal** 22-28-112
14 as follows:

15 **22-28-112. Reports to legislative committees.** ~~By January 15,~~
16 ~~2007, and by January 15 of each year thereafter, the department shall~~
17 ~~report to the education committees of the senate and house of~~
18 ~~representatives, or any successor committees, on the effectiveness of the~~
19 ~~Colorado preschool program. The department is authorized to request~~
20 ~~from any participating school district such information and data as may~~
21 ~~be necessary to make such reports.~~

22 **SECTION 13.** In Colorado Revised Statutes, 22-30.5-113,
23 **amend** (1) as follows:

24 **22-30.5-113. State board - department of education - duties -**
25 **charter schools - evaluation - report.** (1) Beginning in the 2004-05
26 budget year, and at least every three years thereafter, the department shall
27 prepare a report and evaluation for the governor ~~and the house and senate~~

1 ~~committees on education~~ on the success or failure of charter schools and
2 of institute charter schools authorized pursuant to part 5 of this article,
3 their relationship to other school reform efforts, and suggested changes
4 in state law necessary to strengthen or change the charter school program
5 described in this article.

6 **SECTION 14.** In Colorado Revised Statutes, 22-30.5-409,
7 **amend** (2) as follows:

8 **22-30.5-409. Annual reports on bonds issued on behalf of**
9 **charter schools - review by state auditor.** (2) No later than March 1,
10 2002, and no later than March 1 each year thereafter, the state auditor
11 shall examine the report submitted in accordance with subsection (1) of
12 this section and, upon completion of such review, shall report any
13 findings regarding said submitted report to ~~the education committees of~~
14 ~~the senate and the house of representatives, the legislative audit~~
15 ~~committee, the capital development committee, the joint budget~~
16 ~~committee, and the department of education.~~

17 **SECTION 15.** In Colorado Revised Statutes, 22-30.5-513, **repeal**
18 (10)(b) as follows:

19 **22-30.5-513. Institute charter schools - definitions - funding -**
20 **at-risk supplemental aid - legislative declaration - repeal.** (10) (b) ~~On~~
21 ~~or before January 15, 2010, and on or before January 15 each year~~
22 ~~thereafter, the institute board shall submit to the education committees of~~
23 ~~the senate and the house of representatives, or any successor committees,~~
24 ~~the findings of the review described in paragraph (a) of this subsection~~
25 ~~(10) and any recommendations for legislative changes regarding the~~
26 ~~operations of the institute.~~

27 **SECTION 16.** In Colorado Revised Statutes, 22-30.7-103,

1 **amend** (3)(h) and (3)(h.5) as follows:

2 **22-30.7-103. Division of online learning - created - duties -**

3 **repeal.** (3) **Duties.** The online division shall have the following duties:

4 (h) To prepare a summary report to be submitted on or before
5 February 1, 2009, and on or before June 1, 2014, and on or before June
6 1 every five years thereafter, to the state board; ~~and the education~~
7 ~~committees of the house of representatives and the senate, or any~~
8 ~~successor committees;~~

9 (h.5) On or before June 1, 2015, and on or before June 1 every
10 year thereafter, to prepare a summary report of data related to students
11 who participated in a supplemental online course offered by a nonprofit
12 provider selected pursuant to section 22-5-119 and submit the report to
13 said nonprofit provider and to the department; ~~and the education~~
14 ~~committees of the house of representatives and the senate, or any~~
15 ~~successor committees;~~

16 **SECTION 17.** In Colorado Revised Statutes, 22-32.5-111,
17 **amend** (1) introductory portion and (1)(f) as follows:

18 **22-32.5-111. Reporting.** (1) On or before March 1, 2010, and on
19 or before March 1 each year thereafter, the commissioner and the state
20 board shall submit to the governor ~~and to the education committees of the~~
21 ~~senate and the house of representatives, or any successor committees,~~ a
22 report concerning the districts of innovation. At a minimum, the report
23 shall include:

24 (f) Any additional information requested by the governor. ~~or a~~
25 ~~member of the general assembly.~~

26 **SECTION 18.** In Colorado Revised Statutes, 22-33-205, **amend**
27 (4) as follows:

22-33-205. Services for expelled and at-risk students - grants

- criteria. (4) The department of education is authorized to retain up to one percent of any moneys appropriated for the program for the purpose of annually evaluating the program. The department of education is authorized and encouraged to retain up to an additional two percent of any moneys appropriated for the program for the purpose of partnering with organizations or agencies that provide services and supports that are designed to reduce the number of truancy cases requiring court involvement and that also reflect the best interests of students and families. The services and supports shall include, but need not be limited to, alternatives to guardian ad litem representation in truancy proceedings.

~~On or before January 1, 2006, and on or before January 1 each year thereafter, the department of education shall report to the education committees of the house of representatives and the senate, or any successor committees, the evaluation findings on the outcomes and the effectiveness of the program related to school attendance, attachment, and achievement. The report shall also include specific information on the efficacy of services and supports that provide alternatives to court involvement and guardian ad litem representation in truancy proceedings.~~

SECTION 19. In Colorado Revised Statutes, **amend** 22-41-107 as follows:

22-41-107. Reports. The public school fund investment board shall submit financial statements on November 1 of each fiscal year to the state treasurer, the state board of land commissioners, AND the office of state planning and budgeting. ~~the joint budget committee, and the education and finance committees of the senate and house of representatives, or any successor committees.~~

1 **SECTION 20.** In Colorado Revised Statutes, 22-43.7-111,
2 **amend** (1) introductory portion; and **repeal** (3) as follows:

3 **22-43.7-111. Reporting requirements.** (1) No later than
4 February 15, 2010, and no later than each February 15 thereafter, the
5 board shall ~~present~~ PREPARE a written report ~~to the education and finance~~
6 ~~committees of the house of representatives and the senate and the capital~~
7 ~~development committee, or any successor committees,~~ regarding the
8 provision of financial assistance to applicants pursuant to this article. The
9 report must include, at a minimum:

10 (3) ~~The state auditor shall conduct or cause to be conducted a~~
11 ~~performance audit of the financial assistance grant and lease-purchase~~
12 ~~programs authorized by this article. The state auditor shall submit~~
13 ~~findings, conclusions, and recommendations resulting from the~~
14 ~~performance audit to the members of the legislative audit committee of~~
15 ~~the general assembly and to the members of the education and finance~~
16 ~~committees of the house of representatives and the senate, or any~~
17 ~~successor committees, no later than February 15, 2014.~~

18 **SECTION 21.** In Colorado Revised Statutes, 22-54-124, **repeal**
19 (3)(b) as follows:

20 **22-54-124. State aid for charter schools - use of state education**
21 **fund money - definitions.** (3) (b) ~~No later than February 1 of each~~
22 ~~budget year, the department of education shall certify to the education~~
23 ~~committees of the senate and the house of representatives and the joint~~
24 ~~budget committee of the general assembly the total number of pupils~~
25 ~~expected to be enrolled in all qualified charter schools in the state during~~
26 ~~the next budget year, as derived from reports provided to the department~~
27 ~~by districts pursuant to section 22-30.5-112 (1) and by institute charter~~

1 ~~schools pursuant to section 22-30.5-513 (3) (a). For the purposes of any~~
2 ~~certification made during the 2003-04 budget year and budget years~~
3 ~~thereafter, a pupil expected to be enrolled in a qualified charter school as~~
4 ~~defined in sub-subparagraph (B) of subparagraph (I) of paragraph (f.6) of~~
5 ~~subsection (1) of this section shall be counted as one-half of one pupil.~~

6 **SECTION 22.** In Colorado Revised Statutes, 22-69-106, **amend**
7 (1) introductory portion as follows:

8 **22-69-106. Alternative teacher compensation plan grant**
9 **program - report.** (1) On or before January 15, 2010, and on or before
10 January 15 each year thereafter, so long as grant moneys were awarded
11 to at least one school district pursuant to the grant program during the
12 preceding calendar year, the department shall report to the ~~education~~
13 ~~committees of the house of representatives and the senate, or any~~
14 ~~successor committees, and to the~~ governor the following information
15 from the preceding calendar year:

16 **SECTION 23.** In Colorado Revised Statutes, 22-80-103, **repeal**
17 (7) as follows:

18 **22-80-103. Board of trustees - appointments - powers - duties**
19 **- fund created.** (7) ~~The board of trustees shall transmit, on or before~~
20 ~~January 1, 2005, and on or before January 1 of each year thereafter, a~~
21 ~~report to the education committees of the senate and house of~~
22 ~~representatives that contains the following:~~

23 ~~(a) All school performance report data for the school, as specified~~
24 ~~by the department of education;~~

25 ~~(b) All training, mentoring, and professional development~~
26 ~~activities arranged for the school's teachers; and~~

27 ~~(c) Any parental education and parental involvement components~~

1 ~~in the school's program.~~

2 **SECTION 24.** In Colorado Revised Statutes, 22-91-105, **repeal**
3 (2) and (3) as follows:

4 **22-91-105. Reporting.** (2) ~~On or before May 15, 2009, and on or~~
5 ~~before May 15 each year thereafter, the department shall submit to the~~
6 ~~education committees of the senate and the house of representatives, or~~
7 ~~any successor committees, a report that, at a minimum, summarizes the~~
8 ~~information received by the department pursuant to subsection (1) of this~~
9 ~~section. The department shall also post the report to its website.~~

10 (3) ~~The department of higher education shall cooperate with the~~
11 ~~department in providing information necessary for the report submitted~~
12 ~~by the department pursuant to subsection (2) of this section.~~

13 **SECTION 25.** In Colorado Revised Statutes, 22-93-103, **amend**
14 (4) introductory portion as follows:

15 **22-93-103. School bullying prevention and education grant**
16 **program - grant process - reports by grant recipients.** (4) On or
17 before a date specified by rule of the state board pursuant to section
18 22-93-104 (1) (d), the department shall submit annually to the state board
19 ~~and to the education committees of the senate and house of~~
20 ~~representatives, or any successor committees,~~ the following information
21 regarding the administration of the program in the preceding year:

22 **SECTION 26.** In Colorado Revised Statutes, 22-93-104, **amend**
23 (1)(d) as follows:

24 **22-93-104. Rules.** (1) On or before April 1, 2012, or not more
25 than ninety days after the department receives sufficient moneys to
26 implement this article as described in section 22-93-102 (2), whichever
27 is later, the state board shall promulgate rules for the administration of

1 this article, including but not limited to:

2 (d) The designation of a date by which the department shall
3 annually submit to the state board ~~and to the education committees of the~~
4 ~~senate and house of representatives, or any successor committees,~~ the
5 information described in section 22-93-103 (4).

6 **SECTION 27.** In Colorado Revised Statutes, 22-94-103, **amend**
7 (4) as follows:

8 **22-94-103. Annual reports.** (4) The department shall submit an
9 annual report to the office of the governor AND the state board of
10 education ~~and the members of the education committees of the house of~~
11 ~~representatives and the senate, or any successor committees,~~ summarizing
12 the findings from the two reports submitted to the department pursuant to
13 this section.

14 **SECTION 28.** In Colorado Revised Statutes, 23-1-105.5, **repeal**
15 (2) as follows:

16 **23-1-105.5. Duties and powers of the commission with respect**
17 **to student fees.** (2) ~~On or before January 15, 2012, and on or before~~
18 ~~January 15 each year thereafter, the department shall report to the~~
19 ~~education committees of the house of representatives and the senate, or~~
20 ~~any successor committees, concerning the governing boards' fee policies~~
21 ~~and the collection and use of student fees.~~

22 **SECTION 29.** In Colorado Revised Statutes, 23-1-106, **amend**
23 (7)(a) and (11)(b) as follows:

24 **23-1-106. Duties and powers of the commission with respect**
25 **to capital construction and long-range planning - legislative**
26 **declaration - definitions.** (7) (a) The commission annually shall prepare
27 a unified, five-year capital improvements report of projects to be

1 constructed, but not including those capital construction or capital
2 renewal projects to be undertaken pursuant to subsection (9) of this
3 section, coordinated with education plans. The commission shall transmit
4 the report to the office of state planning and budgeting AND the office of
5 the state architect, ~~the capital development committee, and the joint~~
6 ~~budget committee~~, consistent with the executive budget timetable,
7 together with a recommended priority of funding of capital construction
8 or capital renewal projects for the system of public higher education. The
9 commission shall annually transmit the recommended priority of funding
10 of capital construction or capital renewal projects to the capital
11 development committee no later than November 1 of each year.

12 (b) The commission shall submit a compilation of the projects to
13 the office of the state architect ~~and the capital development committee~~ on
14 or before December 1 of each year.

15 <{Subsection (1)(g) below requires a report "not less than every
16 four years." This draft repeals that provision, but the committee may
17 wish to consider a repeal date based on when the last report was
18 actually submitted. Subsection (1.9)(b) below creates a reporting
19 requirement based on fiscal year 2016-17, but does not state a specific
20 first report date. This provision is drafted to repeal three years after
21 fiscal year 2016-17.}>

22 **SECTION 30.** In Colorado Revised Statutes, 23-1-108, **amend**
23 (1.9)(b); and **repeal** (1)(g) as follows:

24 **23-1-108. Duties and powers of the commission with regard to**
25 **systemwide planning - repeal.** (1) The commission, after consultation
26 with the governing boards of institutions and as a part of the master
27 planning process, shall have the authority to:

1 (g) ~~Report not less than every four years to the education~~
2 ~~committees of the general assembly on the need for, advisability of, or~~
3 ~~progress toward reorganizing the structure of public higher education in~~
4 ~~Colorado;~~

5 (1.9) (b) (I) After the 2016-17 state fiscal year, in each state fiscal
6 year in which the general assembly appropriates the restored level of
7 general fund appropriations for the state system of higher education, the
8 commission, based on the performance-based funding plan adopted in the
9 master plan, shall recommend to the joint budget committee the portion
10 of the performance funding amount to be appropriated to each governing
11 board, including the governing boards for the junior colleges and the area
12 technical colleges, based on the demonstrated performance of the
13 institutions that are under the governing board's control in meeting the
14 institutions' goals and expectations specified in the institutions' respective
15 performance contracts.

16 (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
17 (1.9)(b) IS REPEALED, EFFECTIVE JULY 1, 2019.

18 **SECTION 31.** In Colorado Revised Statutes, 23-1-113, **amend**
19 (9) as follows:

20 **23-1-113. Commission directive - admission standards for**
21 **baccalaureate and graduate institutions of higher education - policy**
22 **- definitions.** (9) On or before February 15, 2012, and on or before
23 February 15 each year thereafter, the department of higher education shall
24 submit to the state board of education AND the department of education
25 ~~and the education committees of the house of representatives and the~~
26 ~~senate, or any successor committees,~~ a report, subject to available data,
27 concerning the enrollment, placement and completion of basic skills

1 courses, first-year college grades, and types of academic certificates and
2 degrees attained at all postsecondary institutions in Colorado and the
3 United States for the high school graduating classes of the preceding six
4 academic years. The department of higher education shall report the
5 information disaggregated by high school and school district of
6 graduation, to the extent practicable, and by ethnicity, gender, financial
7 aid status, and any other characteristic deemed relevant by the
8 commission. The department of higher education and the department of
9 education shall also make the report available on their respective
10 websites.

11 **SECTION 32.** In Colorado Revised Statutes, 23-1-113.3, **amend**
12 (4)(a) introductory portion as follows:

13 **23-1-113.3. Commission directive - basic skills courses.**

14 (4) (a) The department shall transmit annually to the ~~education~~
15 ~~committees of the senate and the house of representatives, or any~~
16 ~~successor committees, the joint budget committee, the commission and~~
17 the department of education an analysis of the data:

18 **SECTION 33.** In Colorado Revised Statutes, 23-3.1-206.9,
19 **repeal** (4) as follows:

20 **23-3.1-206.9. Colorado collegeinvest scholarship program -**

21 **administration - fund - policies.** (4) ~~On or before February 1 of each~~
22 ~~year, the board shall report to the education committees of the senate and~~
23 ~~the house of representatives, or any successor committees, on the status~~
24 ~~of the Colorado collegeinvest scholarship program. The report shall~~
25 ~~include, but need not be limited to, the financial status of the Colorado~~
26 ~~collegeinvest scholarship trust fund, the amount of money annually spent~~
27 ~~on administration, the average scholarship award amount, and the number~~

1 of students participating in the Colorado collegeinvest scholarship
2 program.

3 **SECTION 34.** In Colorado Revised Statutes, 23-5-129, **amend**
4 (5)(a) and (5)(b) as follows:

5 **23-5-129. Governing boards - performance contract -**
6 **authorization - operations - definitions.** (5) (a) ~~Beginning January~~
7 ~~2006, and each January thereafter, the department of higher education~~
8 ~~shall report to the members of the education committees of the senate and~~
9 ~~the house of representatives and the members of the joint budget~~
10 ~~committee of the general assembly the financial effect of the provisions~~
11 ~~of each performance contract with regard to funding for the affected~~
12 ~~governing board of a state institution of higher education and overall~~
13 ~~funding for the statewide system of higher education and a review of each~~
14 ~~state or private institution's operations under the institution's performance~~
15 ~~contract.~~ The term of a performance contract may be up to ten years. The
16 department of higher education may renew a performance contract at its
17 discretion, with the agreement of the governing board.

18 (b) Beginning January 2006, and each January thereafter, data
19 collected and used to measure a state or private institution of higher
20 education's progress towards the goals set forth in the institution's
21 performance contract with the department of higher education shall be
22 made available to ~~the members of the education committees of the house~~
23 ~~of representatives and the senate, members of the joint budget committee,~~
24 each governing board and each institution of higher education covered by
25 a performance contract. The department of higher education shall also
26 provide copies of the data to other members of the general assembly and
27 members of the public on request.

1 **SECTION 35.** In Colorado Revised Statutes, **repeal** 23-8-104 as
2 follows:

3 **23-8-104. Reports.**

4 ~~(1) (Deleted by amendment, L. 2008, p. 311, § 1, effective August~~
5 ~~5, 2008.)~~

6 ~~(2) On or before February 28, 2009, and on or before February 28~~
7 ~~each year thereafter, the board shall submit a report to the joint budget~~
8 ~~committee and to the education committees of the house of~~
9 ~~representatives and the senate, or any successor committees, on the~~
10 ~~implementation and results of programs funded pursuant to this article,~~
11 ~~including:~~

12 ~~(a) The types of programs funded;~~

13 ~~(b) The numbers of students and full-time equivalent students~~
14 ~~served;~~

15 ~~(c) The total cost and the full-time equivalent student cost;~~

16 ~~(d) The placement of those students who completed the programs,~~
17 ~~including job placement and continuing education; and~~

18 ~~(e) Other aspects of the programs that will enable the general~~
19 ~~assembly to evaluate the results, cost effectiveness, and viability of the~~
20 ~~approved programs and to determine whether or not this article should be~~
21 ~~extended.~~

22 **SECTION 36.** In Colorado Revised Statutes, 23-18-202, **amend**
23 **(2)(c) and (2)(d) as follows:**

24 **23-18-202. College opportunity fund - appropriations -**
25 **payment of stipends - reimbursement.** (2) (c) The commission shall
26 forward to the ~~general assembly and~~ governor, by November 1 of each
27 year, a list of institutions eligible to receive stipends on behalf of eligible

1 undergraduate students under the program. The commission shall
2 annually request that the general assembly adjust the amount appropriated
3 to the Colorado student loan program for the stipends, which amount may
4 reflect inflation and enrollment growth in the state institutions of higher
5 education. <{*Does this subsection fall under 24-1-136? Does the last*
6 *sentence need to be deleted too?*>

7 (d) Beginning with the state fiscal year commencing July 1, 2006,
8 the commission, in consultation with the governing boards and any
9 participating private institutions of higher education, shall review
10 annually the amount of the stipend per credit hour established pursuant to
11 paragraph (b) of this subsection (2). Following the review, the
12 commission, in consultation with the governing boards and participating
13 private institutions, shall annually make recommendations regarding
14 possible adjustments to the amount of the stipend per credit hour to the
15 governor. ~~and the joint budget committee of the general assembly for~~
16 ~~consideration in preparing the annual general appropriations act.~~ <{*Does*
17 *this subsection fall under 24-1-136?*>

18 **SECTION 37.** In Colorado Revised Statutes, 23-20-119, **repeal**
19 (2) as follows:

20 **23-20-119. Corporate stock in name of nominee authorized.**

21 ~~(2) A report shall be made by the regents of the university of Colorado,~~
22 ~~to the general assembly at each regular session, of the investments made~~
23 ~~and the interest derived therefrom under the provisions of this section and~~
24 ~~section 23-20-118.~~

25 **SECTION 38.** In Colorado Revised Statutes, **amend** 23-21-521
26 as follows:

27 **23-21-521. Annual report.** The authority shall submit to the

1 governor ~~and the joint budget committee~~ within six months after the end
2 of the fiscal year a report which shall set forth a complete and detailed
3 operating and financial statement of the authority during such year. Also
4 included in the report shall be any recommendations with reference to
5 additional legislation or other action that may be necessary to carry out
6 the purposes of the authority. <{*Delete the last sentence? If the report*
7 *isn't going to the JBC then why recommend legislation?*>

8 **SECTION 39.** In Colorado Revised Statutes, 23-30-123, **amend**
9 (3) as follows:

10 **23-30-123. Investment policy - fiduciary responsibility.** (3) If
11 the board of governors votes to invest assets of the Colorado state
12 university system pursuant to sections 23-30-121 and 23-30-122, the
13 board shall require annual financial statements to be submitted to the
14 board of governors, the state treasurer, AND the state auditor. ~~and the joint~~
15 ~~budget committee of the general assembly.~~ The financial statements shall
16 include, at a minimum, information concerning investment income, gains,
17 and losses, if any, of the Colorado state university system. The financial
18 statements shall report the performance of investments on both a
19 gross-of-fee and a net-of-fee basis.

20 **SECTION 40.** In Colorado Revised Statutes, 23-40-106, **repeal**
21 (4) as follows:

22 **23-40-106. Education innovation institute established -**
23 **purposes - appropriations.** (4) ~~On or before January 10, 2011, and on~~
24 ~~or before January 10 each year thereafter, the institute shall prepare and~~
25 ~~submit a report to the education committees of the house of~~
26 ~~representatives and the senate, or any successor committees, concerning~~
27 ~~the activities of the institute in the previous calendar year. The report~~

1 ~~shall include, at a minimum, information concerning the efforts of the~~
2 ~~institute to fulfill its purposes as described in subsection (2) of this~~
3 ~~section.~~

4 **SECTION 41.** In Colorado Revised Statutes, 23-60-306, **repeal**
5 **(3)(m)** as follows:

6 **23-60-306. Colorado customized training program - creation**
7 **- policy - functions of the state board for community colleges and**
8 **occupational education. (3) (m)** ~~Beginning January 1, 1985, and each~~
9 ~~January 1 thereafter, the state board for community colleges and~~
10 ~~occupational education shall report to the joint budget committee and the~~
11 ~~legislative audit committee on the cost-effectiveness of the Colorado~~
12 ~~customized training program in assisting economic development in~~
13 ~~Colorado.~~

14 <{*The subsection below requires a report to the GA, but the*
15 *statute also states that the preparation of the report is for the purpose*
16 *of complying with another subsection in Section 24-77-103. This draft*
17 *preserves the requirement to prepare the report, but repeals the*
18 *requirement to provide the report to the GA.*>

19 **SECTION 42.** In Colorado Revised Statutes, 24-77-103, **amend**
20 **(7)** as follows:

21 **24-77-103. Limitation on state fiscal year spending - legislative**
22 **declaration. (7)** For purposes of complying with the limitation on state
23 fiscal year spending set forth in subsection (1) of this section, each state
24 institution of higher education shall prepare a written report for each
25 quarter of the fiscal year which shall include the total amount of net
26 revenues generated during such period from any facility, activity, or
27 operation managed by such state institution of higher education which is

1 an enterprise and the total amount of such net revenues and any other
2 thing of value received by such state institution of higher education from
3 such enterprises. ~~Such report shall be filed with the president of the~~
4 ~~senate, the speaker of the house of representatives, and the chairman of~~
5 ~~the joint budget committee no later than thirty days after the close of such~~
6 ~~period.~~

7 **SECTION 43.** In Colorado Revised Statutes, 26-6.5-106, **repeal**
8 (9)(b) as follows:

9 **26-6.5-106. School-readiness quality improvement program.**

10 (9) **Evaluation - report.** (b) ~~On or before April 1, 2009, and on or~~
11 ~~before April 1 every three years thereafter, the state department, or any~~
12 ~~private entity with which the state department is hereby authorized to~~
13 ~~contract for this purpose, shall submit a consolidated statewide report,~~
14 ~~based upon the reports prepared and submitted by the early childhood~~
15 ~~care and education councils, addressing the items set forth in paragraph~~
16 ~~(a) of this subsection (9) to the early childhood and school-readiness~~
17 ~~legislative commission and to the members of the education committees~~
18 ~~of the house of representatives and the senate of the general assembly.~~

19 **SECTION 44. Effective date.** (1) Except as otherwise provided
20 in this section, this act takes effect upon passage.

21 (2) (a) Section 11 of this act takes effect March 14, 2018.

22 (b) As amended in section 16 of this act, section 22-30.7-103
23 (3)(h.5) takes effect June 2, 2018.

24 (c) Section 19 of this act takes effect November 2, 2019.

25 **SECTION 45. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
12.1.16

DRAFT

LLS NO. 17-0268.01 Kip Kolkmeier x4510

BILL (3)(e)(iii)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By HCPF To GA"

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO THE
103 GENERAL ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement.

Sections 1 through 4 and 6 of the bill repeal reports from the state department and subsidiary officials that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

Sections 5 and 7 through 10 add a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 25.5-1-113.5
3 as follows:

4 **25.5-1-113.5. Children's access to health care.** ~~(1) On or before~~
5 ~~January 1, 2008, and on or before each January 1 thereafter, the state~~
6 ~~department shall submit a report to the health and human services~~
7 ~~committees of the senate and the house of representatives, or any~~
8 ~~successor committees, on measures of access to and quality of health care~~
9 ~~for children eligible for programs pursuant to this title, including but not~~
10 ~~limited to data showing whether:~~

11 ~~(a) Providers for children are participating in the programs and are~~
12 ~~accepting eligible children as patients on a regular basis;~~

13 ~~(b) Eligible children are enrolling in programs under this title and~~
14 ~~are remaining enrolled so that the children have continuity of care;~~

15 ~~(c) Eligible children are receiving the early and periodic~~
16 ~~screening, diagnosis, and treatment services required by federal law,~~
17 ~~including but not limited to regular preventive care and, when~~
18 ~~appropriate, timely specialty care, and that providers are accurately~~
19 ~~reporting the data from these visits; and~~

20 ~~(d) Providers are using other appropriate measures of access and~~
21 ~~quality to improve health outcomes and maximize the expenditure of~~

1 ~~health care resources.~~

2 **SECTION 2.** In Colorado Revised Statutes, **repeal** 25.5-1-115.5
3 as follows:

4 **25.5-1-115.5. Medical assistance client fraud.** ~~(1) On or before~~
5 ~~January 15, 2013, and on or before January 15 each year thereafter, the~~
6 ~~state department shall submit a written report to the judiciary committee~~
7 ~~and the health and environment committee of the house of~~
8 ~~representatives, or their successor committees, and to the judiciary~~
9 ~~committee and the health and human services committee of the senate, or~~
10 ~~their successor committees, relating to fraudulent receipt of medicaid~~
11 ~~benefits including, at a minimum:~~

12 ~~(a) Investigations of client fraud during the year;~~

13 ~~(b) Termination of client medicaid benefits due to fraud;~~

14 ~~(c) District attorney action, including, at a minimum, criminal~~
15 ~~complaints requested, cases dismissed, cases acquitted, convictions, and~~
16 ~~confessions of judgment;~~

17 ~~(d) Recoveries, including fines and penalties, restitution ordered,~~
18 ~~and restitution collected; and~~

19 ~~(e) Trends in methods used to commit client fraud, excluding law~~
20 ~~enforcement-sensitive information.~~

21 **SECTION 3.** In Colorado Revised Statutes, 25.5-1-123, **repeal**
22 **(3)** as follows:

23 **25.5-1-123. Medical homes for children - legislative**
24 **declaration - duties of the department.** ~~(3) On or before January 30,~~
25 ~~2008, and every January 30 thereafter, the state department shall report~~
26 ~~to the health and human services committees of the house of~~
27 ~~representatives and the senate, or any successor committees, on progress~~

1 ~~made toward maximizing the number of children with a medical home~~
2 ~~who are enrolled in the state medical assistance program or the children's~~
3 ~~basic health plan.~~

4 **SECTION 4.** In Colorado Revised Statutes, 25.5-1-204, **amend**
5 (4) and (5)(h) as follows:

6 **25.5-1-204. Advisory committee to oversee the all-payer health**
7 **claims database - legislative declaration - creation - members - duties**
8 **- creation of all-payer health claims database - rules.** (4) The
9 administrator shall seek funding for the creation of the all-payer health
10 claims database and develop a plan for the financial stability of the
11 database. On or before March 1, 2011, the administrator shall report to
12 the governor ~~and the general assembly~~ on the status of the funding effort
13 and on the status of the recommendations of the advisory committee. The
14 report shall include the final data elements recommended by the advisory
15 committee, the final provisions contemplated to comply with the "Health
16 Insurance Portability and Accountability Act of 1996", Pub.L. 104-191,
17 as amended, and any other final recommendations that are ready at the
18 time of the report. If sufficient funding is received through gifts, grants,
19 and donations on or before January 1, 2012, as determined by the
20 executive director, the administrator shall, in consultation with the
21 advisory committee, create the Colorado all-payer claims database. The
22 Colorado all-payer claims database shall be operational no later than
23 January 1, 2013.

24 (5) If sufficient funding is received, the executive director shall
25 direct the administrator to create the database and the administrator shall:

26 (h) Report to the governor ~~and the general assembly~~ on or before
27 March 1 of each year on the status of implementing the database and any

1 recommendations for statutory or regulatory changes, with input from the
2 advisory committee or its successor governance entity, that would
3 advance the purposes of this section;

4 **SECTION 5.** In Colorado Revised Statutes, 25.5-1-206, **amend**
5 (6) as follows:

6 **25.5-1-206. School-based substance abuse prevention and**
7 **intervention program - creation - reporting - legislative declaration**
8 **- definitions - repeal.** (6) (a) On or before November 1 in any fiscal year
9 in which the state department awards grants pursuant to this section, the
10 state department shall submit a report to the joint budget committee; the
11 public health care and human services and the health, insurance, and
12 environment committees of the house of representatives, or any successor
13 committees; and the health and human services committee of the senate,
14 or any successor committee, summarizing all grants awarded pursuant to
15 the grant program. At a minimum, the report must include the grant
16 recipient and the amount of the grant, a description of the program or
17 strategies delivered by the grant recipient, the outcomes achieved or
18 proposed to be achieved by the program or strategies, and any other
19 information relating to the success of the grant program in reducing or
20 preventing the use of marijuana and alcohol and the misuse of
21 prescription drugs by youth who are twelve to nineteen years of age.

22 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
23 (6) IS REPEALED, EFFECTIVE NOVEMBER 2, 2017.

24 **SECTION 6.** In Colorado Revised Statutes, **repeal** 25.5-3-107 as
25 follows:

26 **25.5-3-107. Report concerning the program.** ~~The executive~~
27 ~~director shall prepare an annual report concerning the status of the~~

1 ~~medically indigent program to be submitted to the health and human~~
2 ~~services committees of the senate and the house of representatives, or any~~
3 ~~successor committees, no later than February 1 of each year. The report~~
4 ~~shall be prepared following consultation with providers in the program,~~
5 ~~state department personnel, and other agencies, organizations, or~~
6 ~~individuals as the executive director deems appropriate in order to obtain~~
7 ~~comprehensive and objective information about the program.~~

8 **SECTION 7.** In Colorado Revised Statutes, 25.5-3-405, **amend**
9 (2) as follows:

10 **25.5-3-405. Program reporting - repeal.** (2) (a) On or before
11 November 1, 2016, and each November 1 thereafter, the state department
12 shall submit a report to the joint budget committee of the general
13 assembly and to the health and human services committee of the senate
14 and the public health care and human services committee of the house of
15 representatives, or any successor committees, on the operation and
16 effectiveness of the program, including an itemization of the department's
17 administrative expenditures in implementing and administering the
18 program and any recommendations for legislative changes to the program.

19 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
20 (2) IS REPEALED, EFFECTIVE NOVEMBER 2, 2019.

21 **SECTION 8.** In Colorado Revised Statutes, 25.5-4-211, **amend**
22 (3) as follows:

23 **25.5-4-211. Medicaid management information system -**
24 **appropriation in annual general appropriation act - expenditure in**
25 **next fiscal year - repeal.** (3) (a) On or before January 2, 2015, and on
26 or before January 2 of each year thereafter, the state department shall
27 report to the joint budget committee the amount of the appropriation from

1 the prior fiscal year that remains available for the current fiscal year and
2 the purpose for which the moneys are being used.

3 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
4 (3) IS REPEALED, EFFECTIVE JANUARY 3, 2018.

5 **SECTION 9.** In Colorado Revised Statutes, 25.5-4-401.5, **amend**
6 (2)(a) and (2)(d) as follows:

7 **25.5-4-401.5. Review of provider rates - advisory committee**
8 **- recommendations - repeal.** (2) (a) In the first phase of the review
9 process, the state department shall conduct an analysis of the access,
10 service, quality, and utilization of each service subject to a provider rate
11 review. The state department shall compare the rates paid with available
12 benchmarks, including medicare rates and usual and customary rates paid
13 by private pay parties, and use qualitative tools to assess whether
14 payments are sufficient to allow for provider retention and client access
15 and to support appropriate reimbursement of high-value services. On or
16 before May 1, 2016, and each May 1 thereafter, the state department shall
17 provide a report on the analysis required by this paragraph (a) to the
18 advisory committee ~~the joint budget committee~~, and any stakeholder
19 groups identified by the state department whose rates are reviewed.

20 (d) On or before November 1, 2016, and each November 1
21 thereafter, the state department shall submit a written report to ~~the joint~~
22 ~~budget committee~~ and the advisory committee containing its
23 recommendations on all of the provider rates reviewed pursuant to this
24 section and all of the data relied upon by the state department in making
25 its recommendations. ~~The joint budget committee shall consider the~~
26 ~~recommendations in formulating the budget for the state department.~~

27 **SECTION 10.** In Colorado Revised Statutes, 25.5-10-207.5,

1 **amend** (2) and (3) as follows:

2 **25.5-10-207.5. Strategic plan for services and supports - joint**
3 **hearing - reporting - legislative declaration - repeal.** (2) During each
4 regular session of the general assembly, the joint budget committee and
5 the health and human services committees of the senate and the house of
6 representatives, or any successor committees, shall hold a joint hearing
7 and take public testimony on the status of the waiting lists for persons
8 with intellectual and developmental disabilities who are waiting for
9 enrollment into a home- and community-based services program or a
10 program provided pursuant to this ~~article~~ ARTICLE 10 and the availability
11 of general fund moneys to reduce the number of persons on the waiting
12 lists and the amount of time eligible persons wait for such services. The
13 state department shall present testimony, ~~including the information~~
14 ~~provided in the report pursuant to subsection (3) of this section,~~ as well
15 as information concerning the ongoing implementation of the strategic
16 plan required pursuant to subsection (4) of this section, including any
17 revisions to the strategic plan. ~~Additionally, the state department,~~
18 ~~community-centered boards, and providers shall report on the use and~~
19 ~~effectiveness of any moneys appropriated in the preceding state fiscal~~
20 ~~year for increasing system capacity.~~ The goal of the hearing is to propose
21 an appropriation from the general fund to the intellectual and
22 developmental disabilities services cash fund.

23 (3) (a) On or before November 1, 2014, and November 1 of each
24 year thereafter, in accordance with section 24-1-136 (9), ~~C.R.S.~~, the state
25 department shall report to the general assembly the total number of
26 persons with intellectual and developmental disabilities who are waiting
27 at the time of the report for enrollment into a home- and

1 community-based services program or a program provided pursuant to
2 this ~~article~~ ARTICLE 10. The report must also include information
3 concerning the ongoing implementation of the strategic plan required
4 pursuant to subsection (4) of this section, including any revisions to the
5 strategic plan.

6 (b) The information reported pursuant to paragraph (a) of this
7 subsection (3) relating to persons with intellectual and developmental
8 disabilities who are waiting for enrollment into a home- and
9 community-based services program or a program provided pursuant to
10 this ~~article~~ ARTICLE 10 shall be disaggregated by:

11 (I) The specific medicaid waiver program or other intellectual and
12 developmental disabilities program, service, or support;

13 (II) The persons who need services immediately but who are not
14 currently receiving services;

15 (III) The persons who need services immediately who are
16 currently receiving some services; and

17 (IV) The persons who are eligible for services but who do not
18 need services at this time.

19 (c) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
20 (3) IS REPEALED, EFFECTIVE NOVEMBER 2, 2017.

21 **SECTION 11. Effective date.** (1) Except as otherwise provided
22 in this section, this act takes effect upon passage.

23 (2) (a) Section 9 of this act takes effect November 1, 2019.

24 (b) Section 10 of this act takes effect November 2, 2017.

25 **SECTION 12. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.15.16

DRAFT

LLS NO. 17-0270.01 Kristen Forrestal x4217

BILL (3)(e)(iv)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By Dept Human Services To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF HUMAN SERVICES TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses reporting

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

requirements of the department of human services.

Sections 1 through 6, 8, 11 through 13, 15, 16, and 18 of the bill repeal reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

Sections 7, 9, 10, 14, 15, and 17 of the bill add repeal dates in the organic statute that coincide with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

Sections 19 and 20 make conforming amendments.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 14-10-115, **amend**
3 (16)(a) as follows:

4 **14-10-115. Child support guidelines - purpose - definitions -**
5 **determination of income - schedule of basic child support obligations**
6 **- adjustments to basic child support - additional guidelines - child**
7 **support commission. (16) Child support commission.** (a) The child
8 support guidelines, including the schedule of basic child support
9 obligations, and general child support issues shall be reviewed, and the
10 results of the review and any recommended changes shall be reported to
11 the governor ~~and to the general assembly~~ on or before December 1, 1991,
12 and at least every four years thereafter by a child support commission,
13 which commission is hereby created.

14 **SECTION 2.** In Colorado Revised Statutes, 18-18-309, **amend**
15 (4) as follows:

16 **18-18-309. Diversion prevention and control.** (4) The
17 department shall annually report to the governor ~~and to the president of~~
18 ~~the senate and the speaker of the house of representatives~~ on the outcome
19 of this program with respect to its effects on distribution and abuse of
20 controlled substances, including recommendations for improving control
21 and prevention of the diversion of controlled substances in this state.

1 **SECTION 3.** In Colorado Revised Statutes, 19-2-411.5, **repeal**
2 (5) as follows:

3 **19-2-411.5. Juvenile facility - contract for operation.** (5) ~~On~~
4 ~~an annual basis, the department of human services shall calculate the~~
5 ~~recidivism rate for committed juveniles in the custody of the department~~
6 ~~of human services who complete the program offered by the facility. In~~
7 ~~calculating the recidivism rate, the department of human services shall~~
8 ~~include any juvenile who commits a criminal offense, either as a juvenile~~
9 ~~or as an adult, within three years after leaving the facility. The department~~
10 ~~of human services shall report the recidivism rate to the general assembly.~~

11 **SECTION 4.** In Colorado Revised Statutes, 19-3-214, **repeal** (2)
12 as follows:

13 **19-3-214. Placement reporting.** (2) ~~The state department shall~~
14 ~~submit an annual report to the joint budget committee of the general~~
15 ~~assembly no later than December 1 of each year that compiles the~~
16 ~~monthly reports of the number of children who have been placed out of~~
17 ~~the home in each county or city and county for the preceding year as~~
18 ~~required pursuant to subsection (1) of this section.~~

19 **SECTION 5.** In Colorado Revised Statutes, 19-3-304.5, **repeal**
20 (6) as follows:

21 **19-3-304.5. Emergency possession of certain abandoned**
22 **children.** (6) ~~The state department of human services shall submit an~~
23 ~~annual report to the general assembly, beginning January 1, 2001, that~~
24 ~~compiles the monthly reports, required pursuant to subsection (5) of this~~
25 ~~section, of the number of children abandoned pursuant to this section.~~

26 **SECTION 6.** In Colorado Revised Statutes, 19-3.3-108, **amend**
27 (2) and (3) as follows:

1 **19-3.3-108. Office of the child protection ombudsman - annual**
2 **report.** (2) The ombudsman shall distribute the written report to the
3 governor, the chief justice, AND the board. ~~and the general assembly. The~~
4 ~~ombudsman shall present the report to the health and human services~~
5 ~~committees of the house of representatives and of the senate, or any~~
6 ~~successor committees.~~

7 (3) The ombudsman shall post the annual report on the office of
8 the child protection ombudsman's website. ~~and the general assembly's~~
9 ~~website.~~

10 **SECTION 7.** In Colorado Revised Statutes, 26-1-132, **amend**
11 **(4)(a)** as follows:

12 **26-1-132. Department of human services - rate setting -**
13 **residential treatment service providers - monitoring and auditing -**
14 **report - repeal.** (4) (a) (I) The state department, in conjunction with the
15 counties and providers, shall submit an initial report to the joint budget
16 committee of the general assembly on or before January 1, 2017, and
17 every January 1 thereafter. The report must include the rate-setting
18 process and the implementation timeline developed pursuant to this
19 section.

20 (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
21 **(4)(a)** IS REPEALED, EFFECTIVE JANUARY 2, 2020.

22 **SECTION 8.** In Colorado Revised Statutes, **repeal** 26-1-310 as
23 follows:

24 **26-1-310. Reports to the general assembly.** ~~On September 1,~~
25 ~~2009, and each September 1 thereafter, the board shall provide a report~~
26 ~~to the joint budget committee and the health and human services~~
27 ~~committees of the house of representatives and the senate, or any~~

1 ~~successor committees, on the operations of the trust fund, the moneys~~
2 ~~expended, the number of individuals with traumatic brain injuries offered~~
3 ~~services, the research grants awarded and the progress on such grants, and~~
4 ~~the educational information provided pursuant to this article.~~

5 **SECTION 9.** In Colorado Revised Statutes, 26-2-104, **amend**
6 (2)(f) as follows:

7 **26-2-104. Public assistance programs - electronic benefits**
8 **transfer service - joint reports with department of revenue - signs -**
9 **rules - repeal.** (2) (f) (I) On or before January 1, 2016, and July 1, 2016,
10 and on or before each January 1 thereafter, the department of revenue and
11 the state department shall each submit and present the reports at the same
12 meeting on electronic benefits transfers to the state, veterans, and military
13 affairs committees of the senate and house of representatives, the health
14 and human services committee of the senate, and the public health care
15 and human services committee of the house of representatives, or any
16 successor committees. The reports must list the number of instances that
17 a client accessed cash benefits through the electronic benefits transfer
18 service through automated teller machines located in each type of
19 establishment described in paragraph (a) of this subsection (2) or any
20 other establishment in which a client is prohibited from accessing benefits
21 by federal law.

22 (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
23 (2)(f) IS REPEALED, EFFECTIVE JANUARY 2, 2019.

24 **SECTION 10.** In Colorado Revised Statutes, 26-2-809, **add** (2)
25 as follows:

26 **26-2-809. Colorado child care assistance program - reporting**
27 **requirements - repeal.** (2) PURSUANT TO SECTION 24-1-136 (11)(a)(I),

1 THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 2, 2019.

2 **SECTION 11.** In Colorado Revised Statutes, 26-5-105.4, **repeal**
3 (8) as follows:

4 **26-5-105.4. Title IV-E waiver demonstration project - county**
5 **performance agreements - Title IV-E waiver demonstration project**
6 **cash fund created - rules - repeal.** (8) ~~(a) On or before December 31,~~
7 ~~2013, and each December 31 thereafter, the state department shall prepare~~
8 ~~a report concerning the status of the Title IV-E waiver demonstration~~
9 ~~project, as described in this section. The state department shall deliver the~~
10 ~~report to the joint budget committee, the health and human services~~
11 ~~committee of the senate, the health, insurance, and environment~~
12 ~~committee of the house of representatives, and the public health care and~~
13 ~~human services committee of the house of representatives, or any~~
14 ~~successor committees, no later than December 31 of each year.~~

15 ~~(b) To the extent that the state department is able to provide the~~
16 ~~data, the report must include, but need not be limited to:~~

17 ~~(I) The number of counties participating in the project;~~

18 ~~(II) The interventions implemented by each county participating~~
19 ~~in the project;~~

20 ~~(III) The outcomes achieved by the project as reported to the~~
21 ~~federal administration for children and families;~~

22 ~~(IV) The moneys expended for the project; and~~

23 ~~(V) Any need for additional legislation to further the~~
24 ~~accomplishment of goals of the project related to child safety,~~
25 ~~permanency, and well-being.~~

26 **SECTION 12.** In Colorado Revised Statutes, 26-5.5-104, **amend**
27 (6) as follows:

1 **26-5.5-104. Statewide family preservation program - creation**
2 **- single state agency designated - program criteria established -**
3 **available services - powers and duties of agencies - local oversight -**
4 **feasibility report.** (6) On and after July 1, 1994, the executive director
5 of the state department shall annually evaluate the statewide family
6 preservation program and shall determine the overall effectiveness and
7 cost-efficiency of the program. On or before the first day of October of
8 each year, the executive director of the state department shall report such
9 findings and shall make recommended changes, including budgetary
10 changes, to the program to ~~the general assembly~~, the chief justice of the
11 supreme court and the governor. In evaluating the program, the executive
12 director of the state department shall consider any recommendations made
13 by the interagency family preservation commission in accordance with
14 section 26-5.5-106. To the extent changes to the program may be made
15 without requiring statutory amendment, the executive director may
16 implement such changes, including changes recommended by the
17 commission acting in accordance with subsection (7) of this section.

18 **SECTION 13.** In Colorado Revised Statutes, 26-6-116, **repeal** (2)
19 as follows:

20 **26-6-116. Child care resource and referral system - created.**
21 ~~(2) The state department shall report to the members of the health and~~
22 ~~human services committees of the senate and the house of representatives~~
23 ~~of the general assembly, or any successor committees, concerning the~~
24 ~~child care resource and referral system by December 1, 2001, and by each~~
25 ~~December 1 thereafter. The report shall specify, at a minimum, the entity~~
26 ~~that the state department has currently designated to administer the system~~
27 ~~and the qualifications of that entity to serve in such capacity, the types of~~

1 ~~services that are being provided pursuant to the system, the numbers and~~
2 ~~types of persons receiving such services, and the cost associated with the~~
3 ~~system.~~

4 **SECTION 14.** In Colorado Revised Statutes, 26-6.7-105, **amend**
5 (2) as follows:

6 **26-6.7-105. Reporting requirements - repeal.** (2) (a) On or
7 before December 1, 2014, and each December 1 thereafter, the state
8 department shall provide a written report on the grant program to the
9 public health care and human services committee of the house of
10 representatives and the health and human services committee of the
11 senate, or any successor committees. The report must include a summary
12 of the data received pursuant to subsection (1) of this section, the total
13 amount of grants and grant moneys awarded, and the total increase in the
14 number of infants and toddlers under three years of age served by the
15 grant program.

16 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
17 (2) IS REPEALED, EFFECTIVE DECEMBER 2, 2017.

18 **SECTION 15.** In Colorado Revised Statutes, 26-12-108, **amend**
19 (4)(b); and **repeal** (1)(c) as follows:

20 **26-12-108. Payments for care - funds - report - collections for**
21 **charges - central fund for veterans centers created - repeal.**

22 (1) (c) ~~The state department shall prepare and submit to the general~~
23 ~~assembly an annual report detailing the financial status of each veterans~~
24 ~~center. This report must also identify which of the veterans centers~~
25 ~~administered pursuant to the provisions of this article are owned by the~~
26 ~~state but operated under contract by another entity.~~

27 (4) (b) (I) The moneys transferred to the central fund pursuant to

1 this subsection (4) may be used for nonrecurring expenditures that
2 address the greatest needs of serving veterans.

3 (II) (A) At least sixty days prior to making such expenditures, the
4 state department shall report its recommended use of the sale proceeds to
5 the state, veterans, and military affairs committees of the house of
6 representatives and the senate, the capital development committee, and
7 the joint budget committee.

8 (B) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
9 (4)(b)(II) IS REPEALED, EFFECTIVE DECEMBER 2, 2020.

10 **SECTION 16.** In Colorado Revised Statutes, **repeal** 27-10.5-710
11 as follows:

12 **27-10.5-710. Annual report - cooperation from certified early**
13 **intervention service brokers and qualified providers.** ~~(1) By~~
14 ~~November 1, 2008, and by November 1 each year thereafter, the~~
15 ~~department shall submit an annual report to the general assembly~~
16 ~~regarding the various funding sources used for early intervention services,~~
17 ~~the number of eligible children served, the average cost of early~~
18 ~~intervention services, and any other information the department deems~~
19 ~~appropriate. The department shall submit the report to the joint budget~~
20 ~~committee as part of the department's annual budget request. The~~
21 ~~department shall also submit the report to the health and human services~~
22 ~~committees and the education committees of the senate and house of~~
23 ~~representatives, or any successor committees.~~

24 ~~(2) The department shall request, and certified early intervention~~
25 ~~service brokers and qualified early intervention service providers shall~~
26 ~~provide, information regarding early intervention services that the~~
27 ~~department needs to prepare the annual report required by this section or~~

1 ~~other required federal or state reports.~~

2 **SECTION 17.** In Colorado Revised Statutes, 27-80-107.5,
3 **amend** (5)(c) as follows:

4 **27-80-107.5. Increasing access to effective substance use**
5 **disorder services act - managed service organizations - substance use**
6 **disorder services - assessment - community action plan - allocations**
7 **- reporting requirements - evaluation - repeal.** (5) (c) (I) On or before
8 November 1, 2020, the department, in collaboration with the designated
9 managed service organizations, shall submit a report to the joint budget
10 committee and the joint health and human services committee, or any
11 successor committees. The report must:

12 (⊕) (A) Summarize expenditures made by the designated managed
13 service organizations using money made available pursuant to this section
14 for state fiscal years 2016-17, 2017-18, 2018-19, and 2019-20;

15 (⊕) (B) Describe the impact the expenditures have had on
16 increasing statewide access to effective substance use disorder services;
17 and

18 (⊕) (C) Include any recommendations to strengthen or improve
19 the program.

20 (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
21 (5)(c) IS REPEALED, EFFECTIVE NOVEMBER 2, 2023.

22 **SECTION 18.** In Colorado Revised Statutes, **repeal** 27-80-110
23 as follows:

24 **27-80-110. Reports.** ~~The unit shall submit a report not later than~~
25 ~~November 1 of each year to the health and human services committees of~~
26 ~~the senate and house of representatives, or any successor committees, on~~
27 ~~the costs and effectiveness of alcohol and drug abuse programs in this~~

1 ~~state and on recommended legislation in the field of alcohol and drug~~
2 ~~abuse.~~

3 **SECTION 19.** In Colorado Revised Statutes, 16-13-701, **amend**
4 (4) as follows:

5 **16-13-701. Reporting of forfeited property.** (4) The unit in the
6 department of human services that administers behavioral health
7 programs and services, including those related to mental health and
8 substance abuse, shall prepare an annual accounting report of moneys
9 received by the managed service organization pursuant to section
10 16-13-311 (3)(a)(VII)(B), including revenues, expenditures, beginning
11 and ending balances, and services provided. ~~The unit in the department~~
12 ~~of human services that administers behavioral health programs and~~
13 ~~services, including those related to mental health and substance abuse,~~
14 ~~shall provide this information in its annual report pursuant to section~~
15 ~~27-80-110, C.R.S.~~

16 **SECTION 20.** In Colorado Revised Statutes, 42-4-1701, **amend**
17 (4)(e) as follows:

18 **42-4-1701. Traffic offenses and infractions classified -**
19 **penalties - penalty and surcharge schedule - repeal.** (4) (e) (I) An
20 additional fifteen dollars shall be assessed for speeding violations under
21 sub-subparagraph (L) of subparagraph (I) of paragraph (a) of this
22 subsection (4) in addition to the penalties and surcharge stated in said
23 sub-subparagraph (L). Moneys collected pursuant to this paragraph (e)
24 shall be transmitted to the state treasurer who shall deposit such moneys
25 in the Colorado traumatic brain injury trust fund created pursuant to
26 section 26-1-309, C.R.S., within fourteen days after the end of each
27 quarter, to be used for the purposes set forth in ~~sections 26-1-301 to~~

1 ~~26-1-310, C.R.S.~~ PART 3 OF ARTICLE 1 OF TITLE 26.

2 (II) If the surcharge is collected by a county or municipal court,
3 the surcharge shall be seventeen dollars of which two dollars shall be
4 retained by the county or municipality and the remaining fifteen dollars
5 shall be transmitted to the state treasurer and credited to the Colorado
6 traumatic brain injury trust fund created pursuant to section 26-1-309,
7 C.R.S., within fourteen days after the end of each quarter, to be used for
8 the purposes set forth in ~~sections 26-1-301 to 26-1-310, C.R.S.~~ PART 3 OF
9 ARTICLE 1 OF TITLE 26.

10 (III) An additional fifteen dollars shall be assessed for a violation
11 of a traffic regulation under sub-subparagraph (C) of subparagraph (I) of
12 paragraph (a) of this subsection (4) for a violation of section 42-4-109
13 (13)(b), in addition to the penalties stated in said sub-subparagraph (C).
14 An additional fifteen dollars shall be assessed for a motorcycle violation
15 under sub-subparagraph (O) of subparagraph (I) of paragraph (a) of this
16 subsection (4) for a violation of section 42-4-1502 (4.5), in addition to the
17 penalties stated in said sub-subparagraph (O). Moneys collected pursuant
18 to this subparagraph (III) shall be transmitted to the state treasurer, who
19 shall deposit the moneys in the Colorado traumatic brain injury trust fund
20 created pursuant to section 26-1-309, C.R.S., to be used for the purposes
21 set forth in ~~sections 26-1-301 to 26-1-310, C.R.S.~~ PART 3 OF ARTICLE 1 OF
22 TITLE 26.

23 **SECTION 21. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly (August
26 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
27 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2018 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.29.16

DRAFT

LLS NO. 17-0271.01 Kristen Forrestal x4217

BILL (3)(e)(v)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By Judicial Dept To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE JUDICIAL**
102 **DEPARTMENT TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses reporting

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

requirements of the judiciary department.

Sections 1, 3, and 5 through 7 of the bill repeal reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there are no repeal dates listed in the organic statutes.

Section 2 of the bill adds a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

Section 4 of the bill amends the organic statute to remove a requirement to send a report to the general assembly after the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 13-1-137 as
3 follows:

4 **13-1-137. Reporting of data concerning juvenile proceedings.**

5 ~~(1) The judicial branch shall report annually to the judiciary committees~~
6 ~~of the house of representatives and senate, or to any successor~~
7 ~~committees, information concerning:~~

8 ~~(a) The number of juvenile delinquency cases;~~

9 ~~(b) The number of juvenile delinquency cases that involved an~~
10 ~~appointment of counsel;~~

11 ~~(c) The number of juvenile cases that involved a waiver of~~
12 ~~counsel;~~

13 ~~(d) The status of recommended reviews to juvenile court rules,~~
14 ~~forms, and chief justice directives regarding the representation of children~~
15 ~~in juvenile delinquency courts; and~~

16 ~~(e) The number of juvenile delinquency cases that involved a~~
17 ~~detention hearing, the number of juveniles who were released after the~~
18 ~~detention hearing, and the number of juveniles who remained in detention~~
19 ~~after the detention hearing.~~

20 **SECTION 2.** In Colorado Revised Statutes, 13-3-115, **amend** (6)

1 as follows:

2 **13-3-115. Diversion funding committee - repeal.** (6) (a) By
3 January 31, 2015, and each January 31 thereafter, the judicial department
4 shall provide to the joint budget committee a status report that includes
5 the information required by subsection (5) of this section.

6 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
7 (6) IS REPEALED, EFFECTIVE FEBRUARY 1, 2018.

8 **SECTION 3.** In Colorado Revised Statutes, 13-91-105, **amend**
9 (1)(h) and (1)(i) as follows:

10 **13-91-105. Duties of the office of the child's representative -**
11 **guardian ad litem programs - CASA programs.** (1) In addition to any
12 responsibilities assigned to it by the chief justice, the office of the child's
13 representative shall:

14 (h) Cause a program review and outcome-based evaluation of the
15 performance of the office of the child's representative to be conducted
16 annually to determine whether the office is effectively and efficiently
17 meeting the goals of improving child and family well-being and the duties
18 set forth in this section, ~~the reports for which shall be submitted to the~~
19 ~~members of the general assembly~~ and THE OFFICE SHALL SUBMIT THE
20 REPORTS TO the state court administrator's office, together with the reports
21 specified in paragraph (i) of this subsection (1); and

22 (i) Report the activities of the office of the child's representative
23 to ~~the members of the general assembly and to~~ the state court
24 administrator's office, together with the reports specified in paragraph (h)
25 of this subsection (1), on or before September 1, 2001, and on or before
26 September 1 of each year thereafter.

27 **SECTION 4.** In Colorado Revised Statutes, 13-92-104, **amend**

1 (1)(e) as follows:

2 **13-92-104. Duties of the office of the respondent parents'**
3 **counsel.** (1) The office has the following duties, at a minimum:

4 (e) Annually reviewing and evaluating the office's performance
5 to determine whether the office is effectively and efficiently meeting the
6 goals of improving child and family well-being and the duties set forth in
7 this section. The report must be submitted on or before January 1, 2017,
8 and annually thereafter, to ~~the members of the general assembly and the~~
9 state court administrator's office.

10 **SECTION 5.** In Colorado Revised Statutes, 16-4-106, **amend** (6)
11 introductory portion as follows:

12 **16-4-106. Pretrial services programs.** (6) Commencing July 1,
13 2012, each pretrial services program established pursuant to this section
14 shall provide an annual report to the judicial department no later than
15 November 1 of each year, regardless of whether the program existed prior
16 to May 31, 1991. ~~The judicial department shall present an annual~~
17 ~~combined report to the house and senate judiciary committees of the~~
18 ~~house of representatives and the senate, or any successor committees, of~~
19 ~~the general assembly.~~ The report to the judicial department must include,
20 but is not limited to, the following information:

21 **SECTION 6.** In Colorado Revised Statutes, **repeal** 18-1.3-1011
22 as follows:

23 **18-1.3-1011. Annual report.** ~~(1) On or before November 1,~~
24 ~~2000, and on or before each November 1 thereafter, the department of~~
25 ~~corrections, the department of public safety, and the judicial department~~
26 ~~shall submit a report to the judiciary committees of the house of~~
27 ~~representatives and the senate, or any successor committees, and to the~~

1 joint budget committee of the general assembly specifying, at a minimum:

2 (a) ~~The impact on the prison population, the parole population,~~
3 ~~and the probation population in the state due to the extended length of~~
4 ~~incarceration and supervision provided for in sections 18-1.3-1004,~~
5 ~~18-1.3-1006, and 18-1.3-1008;~~

6 (b) ~~The number of offenders placed in the intensive supervision~~
7 ~~parole program and the intensive supervision probation program and the~~
8 ~~length of supervision of offenders in said programs;~~

9 (c) ~~The number of sex offenders sentenced pursuant to this part~~
10 ~~10 who received parole release hearings and the number released on~~
11 ~~parole during the preceding twelve months, if any;~~

12 (d) ~~The number of sex offenders sentenced pursuant to this part~~
13 ~~10 who received parole or probation discharge hearings and the number~~
14 ~~discharged from parole or probation during the preceding twelve months,~~
15 ~~if any;~~

16 (e) ~~The number of sex offenders sentenced pursuant to this part~~
17 ~~10 who received parole or probation revocation hearings and the number~~
18 ~~whose parole or probation was revoked during the preceding twelve~~
19 ~~months, if any;~~

20 (f) ~~A summary of the evaluation instruments developed by the~~
21 ~~management board and use of the evaluation instruments in evaluating~~
22 ~~sex offenders pursuant to this part 10;~~

23 (g) ~~The availability of sex offender treatment providers~~
24 ~~throughout the state, including location of the treatment providers, the~~
25 ~~services provided, and the amount paid by offenders and by the state for~~
26 ~~the services provided, and the manner of regulation and review of the~~
27 ~~services provided by sex offender treatment providers;~~

1 ~~(h) The average number of sex offenders sentenced pursuant to~~
2 ~~this part 10 that participated in phase I and phase II of the department's~~
3 ~~sex offender treatment and monitoring program during each month of the~~
4 ~~preceding twelve months;~~

5 ~~(i) The number of sex offenders sentenced pursuant to this part 10~~
6 ~~who were denied admission to treatment in phase I and phase II of the~~
7 ~~department's sex offender treatment and monitoring program for reasons~~
8 ~~other than length of remaining sentence during each month of the~~
9 ~~preceding twelve months;~~

10 ~~(j) The number of sex offenders sentenced pursuant to this part 10~~
11 ~~who were terminated from phase I and phase II of the department's sex~~
12 ~~offender treatment and monitoring program during the preceding twelve~~
13 ~~months and the reason for termination in each case;~~

14 ~~(k) The average length of participation by sex offenders sentenced~~
15 ~~pursuant to this part 10 in phase I and phase II of the department's sex~~
16 ~~offender treatment and monitoring program during the preceding twelve~~
17 ~~months;~~

18 ~~(l) The number of sex offenders sentenced pursuant to this part 10~~
19 ~~who were denied readmission to phase I and phase II of the department's~~
20 ~~sex offender treatment and monitoring program after having previously~~
21 ~~been terminated from the program during the preceding twelve months;~~

22 ~~(m) The number of sex offenders sentenced pursuant to this part~~
23 ~~10 who were recommended by the department's sex offender treatment~~
24 ~~and monitoring program to the parole board for release on parole during~~
25 ~~the preceding twelve months and whether the recommendation was~~
26 ~~followed in each case; and~~

27 ~~(n) The number of sex offenders sentenced pursuant to this part~~

1 ~~10 who were recommended by the department's sex offender treatment~~
2 ~~and monitoring program for placement in community corrections during~~
3 ~~the preceding twelve months and whether the recommendation was~~
4 ~~followed in each case.~~

5 **SECTION 7.** In Colorado Revised Statutes, 18-3-414.5, **amend**
6 (4) introductory portion as follows:

7 **18-3-414.5. Sexually violent predators - assessment - annual**
8 **report.** (4) On or before January 15, 2008, and on or before January 15
9 each year thereafter, the judicial department and the department of
10 corrections shall jointly submit to ~~the judiciary committees of the senate~~
11 ~~and the house of representatives, or any successor committees,~~ to the
12 division of criminal justice in the department of public safety and to the
13 governor a report specifying the following information:

14 **SECTION 8.** In Colorado Revised Statutes, 19-2-907, **amend**
15 (5)(a) as follows:

16 **19-2-907. Sentencing schedule - options.** (5) (a) Except as
17 otherwise provided in section 19-2-601 for an aggravated juvenile
18 offender, if the court finds that placement out of the home is necessary
19 and is in the best interests of the juvenile and the community, the court
20 shall place the juvenile, following the criteria established pursuant to
21 section 19-2-212, in the facility or setting that most appropriately meets
22 the needs of the juvenile, the juvenile's family, and the community. In
23 making its decision as to proper placement, the court shall utilize the
24 evaluation for placement prepared pursuant to section 19-1-107 or the
25 evaluation for placement required by section 19-1-115 (8)(e). Any
26 placement recommendation in the evaluation prepared by the county
27 department of social services shall be accorded great weight as the

1 placement that most appropriately meets the needs of the juvenile, the
2 juvenile's family, and the community. Such recommendation prepared by
3 the county department of social services shall set forth specific facts and
4 reasons for the placement recommendation. If the evaluation for
5 placement recommends placement in a facility located in Colorado that
6 can provide appropriate treatment and that will accept the juvenile, then
7 the court shall not place the juvenile in a facility outside this state. If the
8 court places the juvenile in a facility located in Colorado other than one
9 recommended by the evaluation for placement, in a facility located
10 outside this state in accordance with the evaluation for placement, or in
11 a facility in which the average monthly cost exceeds the amount
12 established by the general assembly in the general appropriation bill, it
13 shall make specific findings of fact, including the monthly cost of the
14 facility in which such juvenile is placed, relating to its placement
15 decision. A copy of such findings shall be sent to the chief justice of the
16 supreme court. ~~who shall report monthly to the joint budget committee~~
17 ~~and annually to the house and senate committees on health and human~~
18 ~~services, or any successor committees, on such placements.~~ If the court
19 commits the juvenile to the department of human services, it shall not
20 make a specific placement, nor shall the provisions of this subsection (5)
21 relating to specific findings of fact be applicable.

22 **SECTION 9. Effective date.** (1) Except as otherwise provided
23 in this section, this act takes effect upon passage.

24 (2) Section 4 of this act takes effect January 2, 2020.

25 **SECTION 10. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.30.16

DRAFT

LLS NO. 17-0272.01 Kristen Forrestal x4217

BILL (3)(e)(vi)

Statutory Revision Committee

BILL TOPIC: "Reporting Requirements By CDLE To GA"

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF LABOR AND EMPLOYMENT TO THE GENERAL
103 ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Review Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses reporting requirements of the department of labor and employment.

Section 1 of the bill repeals a report that was scheduled to repeal according to section 24-1-136. Currently there is no repeal date listed in the organic statute.

Section 2 of the bill adds a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 8-72-101
3 (3)(b) as follows:

4 **8-72-101. Duties and powers of division.** (3) (b) The department
5 of labor and employment shall update the general assembly annually on
6 the status of the fund during the hearing conducted pursuant to section
7 2-7-203, C.R.S. By August 31, 2012, and by each August 31 thereafter,
8 the division shall report to the joint budget committee, the economic and
9 business development committee of the house of representatives, and the
10 business, labor, and technology committee of the senate, or their
11 successor committees, regarding the status of the fund. The report shall
12 include at least the following from the prior calendar year:

13 (I) ~~Total fund revenues and expenditures;~~

14 (H) ~~The highest and lowest trust fund balance from the prior~~
15 ~~calendar year and a comparison of those balances to the following three~~
16 ~~solvency measures: The reserve ratio, the high-cost multiple, and the~~
17 ~~average high-cost multiple;~~

18 (HH) ~~An analysis of the responsiveness of the funding mechanism~~
19 ~~to changes in economic conditions, both positive and negative;~~

20 (IV) ~~An analysis of any material concerns identified by the~~

1 ~~division in fund solvency, revenue, and expenditures;~~

2 ~~(V) An analysis of the impact of total premiums assessed to~~
3 ~~employers by employer size and employer experience;~~

4 ~~(VI) The total amount of overpayments paid to claimants and the~~
5 ~~total amount of overpayments recovered; and~~

6 ~~(VII) An analysis of measures taken by the division to reduce the~~
7 ~~total number and amount of overpayments and fraudulent payments.~~

8 **SECTION 2.** In Colorado Revised Statutes, **amend** 24-46.3-205
9 as follows:

10 **24-46.3-205. Reporting.** (1) On or before December 15, 2016,
11 and on or before each December 15 thereafter, the department shall
12 prepare an annual report on the grant program that includes, but is not
13 limited to, the number and amounts of grants awarded, a list of hospitality
14 programs that received grants, and the total number of students impacted
15 through hospitality programs that received grants for the grant cycle most
16 recently completed. The department shall provide a copy of the report to
17 members of the business, labor, economic, and workforce development
18 committee of the house of representatives and the business, labor, and
19 technology committee of the senate, or any successor committees.

20 (2) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 17, 2019.

21 **SECTION 3. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the
26 state constitution against this act or an item, section, or part of this act
27 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in
2 November 2018 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.30.16

DRAFT

LLS NO. 17-0273.01 Kristen Forrestal x4217

BILL (3)(e)(vii)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By Dept Of Law To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF LAW TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Review Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due, unless the general assembly, acting by bill, continues the requirement. The bill addresses the reporting

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

requirements of the department of law.

The bill repeals reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date in the organic statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 21-1-104 (4)
3 as follows:

4 **21-1-104. Duties of public defender.** (4) Pursuant to section
5 ~~2-7-203, C.R.S., the state public defender shall report annually to the~~
6 ~~judiciary committees of the house of representatives and senate, or to any~~
7 ~~successor committees, information concerning:~~

8 (a) ~~The number of juvenile delinquency cases for which counsel~~
9 ~~from the office is appointed;~~

10 (b) ~~The number of juvenile cases that involve a conflict of~~
11 ~~interest;~~

12 (c) ~~The process of selecting, training, and supporting attorneys~~
13 ~~who represent children in juvenile delinquency court;~~

14 (d) ~~The average length of time attorneys are assigned to juvenile~~
15 ~~court; and~~

16 (e) ~~The outcome of efforts to reduce juvenile court rotations and~~
17 ~~increase opportunities for promotional advancement in salaries for~~
18 ~~attorneys in juvenile court.~~

19 **SECTION 2.** In Colorado Revised Statutes, **repeal** 24-31-104.5
20 (3) as follows:

21 **24-31-104.5. Funding for insurance fraud investigations and**
22 **prosecutions - creation of fund.** (3) ~~The attorney general shall provide~~
23 ~~annual reports to the joint budget committee, the senate business, labor,~~

1 and technology committee, and the house economic and business
2 development committee, or any successor committees, and shall post on
3 the attorney general's website a statistical report of the number of
4 full-time employees dedicated to insurance fraud, referrals, open
5 investigations, convictions, arrests, and actions initiated, and the number
6 of restitutions, fines, costs, and forfeitures obtained, from the
7 investigation and prosecution of insurance fraud as provided in this
8 section. In the report, the attorney general shall make his or her best effort
9 to delineate between the types of cases prosecuted by line of insurance.

10 **SECTION 3.** In Colorado Revised Statutes, **repeal** 25.5-4-310 as
11 follows:

12 **25.5-4-310. Medicaid false claims report.** ~~(1) On or before~~
13 ~~January 15, 2012, and on or before each January 15 thereafter, the~~
14 ~~attorney general shall submit a written report to the health and human~~
15 ~~services committees of the senate and the house of representatives, or any~~
16 ~~successor committees, and to the joint budget committee of the general~~
17 ~~assembly concerning claims brought under the "Colorado Medicaid False~~
18 ~~Claims Act" during the previous fiscal year. The report shall include, but~~
19 ~~not be limited to:~~

20 (a) ~~The number of actions filed by the attorney general;~~

21 (b) ~~The number of actions filed by the attorney general that were~~
22 ~~completed;~~

23 (c) ~~The amount that was recovered in actions filed by the attorney~~
24 ~~general through settlement or through a judgment and, if known, the~~
25 ~~amount recovered for damages, penalties, and litigation costs;~~

26 (d) ~~The number of actions filed by a person other than the attorney~~
27 ~~general;~~

1 ~~(e) The number of actions filed by a person other than the attorney~~
2 ~~general that were completed;~~

3 ~~(f) The amount that was recovered in actions filed by a person~~
4 ~~other than the attorney general through settlement or through a judgment~~
5 ~~and, if known, the amount recovered for damages, penalties, and litigation~~
6 ~~costs, and the amount recovered by the state and the person; and~~

7 ~~(g) The amount expended by the state for investigation, litigation,~~
8 ~~and all other costs for claims related to the "Colorado Medicaid False~~
9 ~~Claims Act".~~

10 **SECTION 4.** In Colorado Revised Statutes, **amend** 25.5-4-303.5
11 as follows:

12 **25.5-4-303.5. Short title.** This section and sections 25.5-4-304 to
13 ~~25.5-4-310~~ 25.5-4-309 shall be known and may be cited as the "Colorado
14 Medicaid False Claims Act".

15 **SECTION 5. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part will not take effect
22 unless approved by the people at the general election to be held in
23 November 2018 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.29.16

DRAFT

LLS NO. 17-0275.01 Kristen Forrestal x4217

BILL (3)(e)(viii)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By DOLA To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF LOCAL AFFAIRS TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due, unless the general assembly, acting by bill, continues the requirement.

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

The bill addresses reporting requirements of the department of local affairs. The bill repeals reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there are no repeal dates listed in the organic statutes.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-32-723, **repeal**
3 (4)(c) as follows:

4 **24-32-723. Office of homeless youth services - creation -**
5 **function - duties - definitions.** (4) (c) ~~On or before January 15, 2012,~~
6 ~~and on or before each January 15 thereafter, the office of homeless youth~~
7 ~~services, in conjunction with the prevention services division in the~~
8 ~~department of public health and environment and the department of~~
9 ~~education, shall submit a consolidated report to the general assembly of~~
10 ~~existing reports relating to prevention, intervention, and treatment~~
11 ~~services provided to homeless youth eighteen years of age to twenty-one~~
12 ~~years of age by the department of human services, county departments of~~
13 ~~social services, and other state departments that operate prevention,~~
14 ~~intervention, and treatment programs serving youth eighteen years of age~~
15 ~~to twenty-one years of age. The report shall also include the data that the~~
16 ~~department of education annually compiles on the number of homeless~~
17 ~~youth enrolled in public schools in the state, the type of homelessness,~~
18 ~~and the list of services that are provided to such homeless youth. The~~
19 ~~consolidated report shall include the number of youth served, the types of~~
20 ~~services provided, and the outcomes derived from such services.~~

21 **SECTION 2.** In Colorado Revised Statutes, 24-32-1707, **repeal**
22 (9) as follows:

23 **24-32-1707. Statewide balance.** (9) ~~The executive director shall~~

1 file with the general assembly before February 1 of each year a detailed
2 accounting of the distribution and use of bond allocations for the prior
3 year.

4 **SECTION 3.** In Colorado Revised Statutes, 39-29-110, **repeal** (3)
5 as follows:

6 **39-29-110. Local government severance tax fund - creation -**
7 **administration - definitions.** (3) ~~The executive director of the~~
8 ~~department of local affairs shall deliver to the state auditor and file with~~
9 ~~the general assembly annually before February 1 a detailed report~~
10 ~~accounting for the distribution of all funds for the previous year. The~~
11 ~~energy impact assistance advisory committee shall review the report prior~~
12 ~~to it being delivered and filed.~~

13 **SECTION 4.** In Colorado Revised Statutes, 43-4-514, **repeal** (3)
14 and (4) as follows:

15 **43-4-514. Notice - coordination of information - reports.**

16 (3) (a) ~~The division shall file an annual report with the transportation~~
17 ~~legislation review committee concerning the activities of authorities~~
18 ~~created pursuant to this part 5. Such report shall detail how many~~
19 ~~authorities have been created, describe their boundaries, and specify the~~
20 ~~public highways which are being constructed and how they are being~~
21 ~~financed.~~

22 (b) ~~The division shall notify the transportation legislation review~~
23 ~~committee either in the report required by paragraph (a) of this subsection~~
24 ~~(3) or by letter, if it deems that immediate notification is warranted, of~~
25 ~~any situation relating to the creation of an authority or value capture area,~~
26 ~~the imposition of any fee, or the issuance of any bonds by an authority~~
27 ~~that the division believes or has reason to believe will adversely affect the~~

1 ~~tax-raising ability or the credit or bond rating of any governmental unit or~~
2 ~~any school district.~~

3 (4) ~~The authority shall report annually in the month of August to~~
4 ~~the transportation legislation review committee on its activities during the~~
5 ~~preceding twelve months and on its proposed activities during the~~
6 ~~succeeding twelve months. The board and staff of the authority shall~~
7 ~~cooperate with the transportation legislation review committee in carrying~~
8 ~~out its duties pursuant to section 43-2-145 (1.5).~~

9 **SECTION 5. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2018 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

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11.4.16

DRAFT

LLS NO. 17-0276.01 Kristen Forrestal x4217

BILL (3)(e)(ix)

Statutory Revision Committee

BILL TOPIC: "Repeal Reporting Requirement SVMA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF A REPORT BY THE BOARD OF**
102 **VETERANS AFFAIRS TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), any report that is required to be made to the general assembly or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement.

The bill repeals a reporting requirement of the board of veterans

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

affairs.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 28-5-703, **repeal**
3 (3)(b) and (3)(c) as follows:

4 **28-5-703. Rules - duties.** (3) On or before December 31, 2002,
5 and on or before December 31 each year thereafter, the board, with the
6 assistance of the division, shall report on the status of all programs
7 providing services to the state's veterans, including but not limited to any
8 recommendations for changes to policies, procedures, or law, to:

9 (b) ~~The state, veterans, and military affairs committee of the house~~
10 ~~of representatives; and~~

11 (c) ~~The state, veterans, and military affairs committee of the~~
12 ~~senate.~~

13 **SECTION 2. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2018 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

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LLS NO. 17-0277.01 Kristen Forrestal x4217

BILL (3)(e)(x)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By DNR To GA"

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF NATURAL RESOURCES TO THE GENERAL
103 ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement.

The bill repeals reporting requirements of the department of natural resources that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1303, **amend**
3 (3)(b)(II) as follows:

4 **24-30-1303. Office of the state architect - responsibilities.**

5 (3) (b) Projects under the supervision of the division of parks and
6 wildlife that are excluded from paragraph (a) of this subsection (3), shall:

7 (II) Report the current record of balances by capital project on or
8 before September 15, 2001, not less than one time annually on or before
9 each September 15 thereafter to the office of state planning and
10 budgeting, ~~the joint budget committee, and the capital development~~
11 ~~committee.~~

12 **SECTION 2.** In Colorado Revised Statutes, 24-33-111, **amend**
13 (3)(a) as follows:

14 **24-33-111. Conservation of native species - fund created.**

15 (3) **Species conservation eligibility list and annual report.** (a) The
16 executive director of the department of natural resources, after
17 consultation with the Colorado water conservation board and its director,
18 the parks and wildlife commission, and the director of the division of
19 parks and wildlife, shall annually prepare a species conservation
20 eligibility list describing programs and associated costs that are eligible
21 to receive funding pursuant to this section. The species conservation
22 eligibility list is subject to modification and adoption through passage of
23 a bill. ~~At the same time as the species conservation eligibility list is~~

1 ~~submitted, the director of the department of natural resources, after~~
2 ~~consultation with the Colorado water conservation board and its director,~~
3 ~~the parks and wildlife commission, and the director of the division of~~
4 ~~parks and wildlife, shall also provide a detailed report to the general~~
5 ~~assembly on the progress and status of activities to date and their~~
6 ~~effectiveness in the recovery of the species and identify proposed future~~
7 ~~activities. The report shall include an assessment of habitat benefits, both~~
8 ~~public and private, attributable to such activities.~~

9 **SECTION 3.** In Colorado Revised Statutes, 33-1-105.5, **repeal**
10 (9) as follows:

11 **33-1-105.5. Acquisition of property - procedure.** (9) The
12 ~~commission shall include in its annual report, which report shall be~~
13 ~~submitted to the capital development committee and to the agriculture,~~
14 ~~livestock, and natural resources committee of the house of representatives~~
15 ~~and the agriculture, natural resources, and energy committee of the senate,~~
16 ~~a listing of all acquisitions of real property or interests in water made~~
17 ~~pursuant to the provisions of this section. Such report shall describe all~~
18 ~~property and interests in water acquired since July 1, 1992, the acquisition~~
19 ~~cost of each such property or interest in water, and the appraised value of~~
20 ~~each such property or interest in water, and shall contain a description of~~
21 ~~all pending acquisitions of property and interests in water.~~

22 **SECTION 4.** In Colorado Revised Statutes, 33-1-112, **repeal**
23 (7)(a)(III) as follows:

24 **33-1-112. Funds - cost accounting - definition - repeal.**
25 (7) (a) (III) ~~The commission shall submit an annual report of the moneys~~
26 ~~expended from the fund and matters accomplished by the expenditures~~
27 ~~from the preceding fiscal year to the senate agriculture, natural resources,~~

1 ~~and energy committee and the house of representatives agriculture,~~
2 ~~livestock, and natural resources committee, or their successor committees,~~
3 ~~by the convening date of each regular session of the general assembly in~~
4 ~~accordance with section 24-1-136 (9), C.R.S. The commission shall also~~
5 ~~submit to these committees a report on moneys proposed to be expended~~
6 ~~from the fund and the matters to be accomplished by the expenditures in~~
7 ~~the upcoming fiscal year.~~

8 **SECTION 5.** In Colorado Revised Statutes, 33-1-112, **amend**
9 (8)(b) as follows:

10 **33-1-112. Funds - cost accounting - definition - repeal.**

11 (8) (b) The council shall submit an annual report to the commission ~~the~~
12 ~~senate and house agriculture committees,~~ and the executive director of the
13 department of natural resources specifically stating the items for which
14 it has expended ~~moneys~~ MONEY from the fund and the purpose of such
15 items.

16 **SECTION 6.** In Colorado Revised Statutes, **repeal** 33-3-111 as
17 follows:

18 **33-3-111. Annual report to the general assembly.**

19 ~~(1) Commencing with the second regular session of the sixty-seventh~~
20 ~~general assembly, the division shall report at least annually, by January~~
21 ~~31 of each year, to the senate agriculture and natural resources committee~~
22 ~~and the house of representatives agriculture, livestock, and natural~~
23 ~~resources committee, or their successor committees, on game damage and~~
24 ~~game damage prevention issues. Such report shall include, at a minimum:~~

25 ~~(a) (I) The herd management objectives set by the division and~~
26 ~~whether those objectives are being met. In providing this information, the~~
27 ~~division shall supply the actual number of herd animals by game unit.~~

1 ~~(H) If any of the herd management objectives of the division are~~
2 ~~not being met, the division shall set forth in detail its plans, strategies, and~~
3 ~~efforts that it is using or intends to use in order to achieve compliance~~
4 ~~with the objectives.~~

5 ~~(b) The number of requests for game damage prevention~~
6 ~~materials, the timeliness of the division in responding to such requests,~~
7 ~~the quantity and types of temporary and permanent materials issued, the~~
8 ~~number of requests for materials denied, and, to the extent that such~~
9 ~~information is available, the adequacy of materials in preventing game~~
10 ~~damage;~~

11 ~~(c) The number of permits to take wildlife requested pursuant to~~
12 ~~section 33-3-106, the number of permits issued, the amount of wildlife~~
13 ~~killed under such permits, the number of permits denied, and the reasons~~
14 ~~for denial;~~

15 ~~(d) The number of claims for damages submitted under this~~
16 ~~section, how many of those claims were settled and the monetary amounts~~
17 ~~of the settlements, the number of claims pending at the time of the report,~~
18 ~~the number of claims denied, and the reasons for denial;~~

19 ~~(e) Any other costs incurred by the division in administering this~~
20 ~~article.~~

21 **SECTION 7.** In Colorado Revised Statutes, 33-10-111, **repeal**
22 **(6)(c)** as follows:

23 **33-10-111. Parks and outdoor recreation cash fund - parks for**
24 **future generations trust fund - created - fees - accounting**
25 **expenditures for roads and highways - definition - repeal.** (6) (c) The
26 ~~commission shall submit an annual report of the moneys expended from~~
27 ~~the fund and matters accomplished by the expenditures from the~~

1 preceding fiscal year to the senate agriculture, natural resources, and
2 energy committee and the house of representatives agriculture, livestock,
3 and natural resources committee, or their successor committees, by the
4 convening date of each regular session of the general assembly in
5 accordance with section 24-1-136 (9), C.R.S. The commission shall also
6 submit to these committees a report on moneys proposed to be expended
7 from the fund and the matters to be accomplished by the expenditures in
8 the upcoming fiscal year.

9 **SECTION 8.** In Colorado Revised Statutes, 33-10.5-103, **repeal**
10 (5) as follows:

11 **33-10.5-103. Powers and duties of the division - annual report.**

12 (5) Beginning on January 15, 2009, and on or before January 15 of each
13 year thereafter, the division and the water conservation board created in
14 section 37-60-102, C.R.S., shall make an annual report of the efforts in
15 addressing aquatic nuisance species in Colorado for the preceding
16 calendar year to the joint house agriculture, livestock, and natural
17 resources committee and the senate agriculture, natural resources, and
18 energy committee, or its successor committee. Each such report shall set
19 forth a complete operating and financial statement covering the aquatic
20 nuisance species operations of the division during the year.

21 **SECTION 9.** In Colorado Revised Statutes, **repeal** 33-60-106 as
22 follows:

23 **33-60-106. Report required - general appropriations act.** On

24 or before September 1 of each year beginning with 1993, each state
25 agency that has received or is scheduled to receive moneys from the great
26 outdoors Colorado trust fund shall provide the senate agriculture, natural
27 resources, and energy committee and the house of representatives

1 ~~agriculture, livestock, and natural resources committee with a detailed~~
2 ~~accounting of all such moneys received or to be received along with a~~
3 ~~detailed accounting of how such moneys have been or will be expended.~~
4 ~~For informational purposes, the expenditure of such moneys may be~~
5 ~~indicated in the annual general appropriation act.~~

6 **SECTION 10.** In Colorado Revised Statutes, 36-1-102, **amend**
7 (8) as follows:

8 **36-1-102. Employees - director - bonds - report.** (8) The state
9 board of land commissioners shall deliver a copy of the summary of land
10 transactions required pursuant to subsection (4) of this section, the
11 investment and development fund report required pursuant to section
12 36-1-153 (4), and the income and inventory report required pursuant to
13 section 36-1-153.5 (1) on or before November 1, 2011, and on or before
14 November 1 of each year thereafter, to ~~the members of the house and~~
15 ~~senate education committees, or any successor committees, the members~~
16 ~~of the house agriculture, livestock, and natural resources committee and~~
17 ~~the senate agriculture and natural resources committee, or any successor~~
18 ~~committees, the members of the joint budget committee, the members of~~
19 the state board of education and the state treasurer. In addition, the state
20 board of land commissioners shall make the summary of land
21 transactions, the investment and development fund report, and the income
22 and inventory report available to the public on the state board of land
23 commissioners' website on or before November 1, 2011, and on or before
24 November 1 of each year thereafter.

25 **SECTION 11.** In Colorado Revised Statutes, **repeal** 36-1-153.5
26 as follows:

27 **36-1-153.5. Annual income and inventory report.** ~~(1) On or~~

1 before November 1, 2011, and on or before each November 1 thereafter,
2 the state board of land commissioners shall prepare an annual income and
3 inventory report. The report shall include the following:

4 (a) ~~Data regarding the income earned from lands held in trust by~~
5 ~~the board, including:~~

6 (I) ~~A summary of the total revenues earned during the previous~~
7 ~~fiscal year from all lands held in trust by the board;~~

8 (II) ~~A summary of the total revenues earned during the previous~~
9 ~~fiscal year from lands in each individual trust held by the board;~~

10 (III) ~~A summary of the trends in revenue that have occurred in~~
11 ~~connection with the lands held in trust by the board; and~~

12 (IV) ~~A summary of the anticipated growth in revenue and revenue~~
13 ~~trends in connection with the lands held in trust by the board;~~

14 (b) ~~A summary of the state board of land commissioners' land~~
15 ~~inventory as of the date of the report, including the number of surface~~
16 ~~acres and subsurface acres in each individual trust held by the board; and~~

17 (c) ~~The amount transferred to the public school capital~~
18 ~~construction assistance fund on the immediately preceding July 1,~~
19 ~~pursuant to section 22-43.7-104 (2)(b)(I), C.R.S.~~

20 (2) ~~The state board of land commissioners shall deliver the annual~~
21 ~~income and inventory report as specified in section 36-1-102 (8).~~

22 **SECTION 12.** In Colorado Revised Statutes, 37-60-121, **repeal**
23 **(2.5)(d)** as follows:

24 **37-60-121. Colorado water conservation board construction**
25 **fund - creation of - nature of fund - funds for investigations -**
26 **contributions - use for augmenting the general fund - funds created**
27 **- repeal. (2.5) (d) The board, in conjunction with the attorney general,**

1 ~~shall report annually to the senate agriculture, natural resources, and~~
2 ~~energy committee and the house of representatives agriculture, livestock,~~
3 ~~and natural resources committee on any litigation that involves the use of~~
4 ~~any moneys from the litigation fund created in paragraph (a) of this~~
5 ~~subsection (2.5).~~

6 **SECTION 13.** In Colorado Revised Statutes, 37-60-122, **amend**
7 (1) introductory portion and (1)(b) as follows:

8 **37-60-122. General assembly approval.** (1) ~~Moneys~~ MONEY in
9 the Colorado water conservation board construction fund shall be
10 expended in the following manner and under the following
11 circumstances:

12 (b) The general assembly may authorize projects as it deems to be
13 to the advantage of the people of the state of Colorado and shall direct the
14 board to proceed with the projects in the priorities established by the
15 general assembly under terms approved by the general assembly. The
16 board is authorized to make loans without general assembly approval in
17 amounts not to exceed ten million dollars. The unappropriated balance of
18 ~~moneys~~ MONEY in the Colorado water conservation board construction
19 fund and the state severance tax perpetual base fund shall be available
20 and continuously appropriated for this purpose. ~~The board shall submit a~~
21 ~~written determination of the basis for the project loans to the general~~
22 ~~assembly by January 15 of the year following the year in which the loan~~
23 ~~was made.~~

24 **SECTION 14.** In Colorado Revised Statutes, 37-75-105, **repeal**
25 (4) as follows:

26 **37-75-105. Interbasin compact committee.** (4) ~~Commencing in~~
27 ~~2006, the committee shall submit an annual report to the house of~~

1 ~~representatives committee on agriculture, livestock, and natural resources~~
2 ~~and the senate committee on agriculture, natural resources, and energy,~~
3 ~~or their successor committees, by October 31 concerning the status of~~
4 ~~compact negotiations and, in consultation with the Colorado water~~
5 ~~conservation board created in section 37-60-102, how moneys from the~~
6 ~~water supply reserve fund created in section 39-29-109 (2) (c), C.R.S.,~~
7 ~~were allocated during the previous twelve months for water activities~~
8 ~~approved by basin roundtables.~~

9 **SECTION 15.** In Colorado Revised Statutes, **repeal** 37-87-114.4
10 as follows:

11 **37-87-114.4. Annual report.** ~~The state engineer shall submit an~~
12 ~~annual report to the general assembly by November 1 of each year~~
13 ~~concerning the activities of the state engineer and the division of water~~
14 ~~resources relating to sections 37-87-105 to 37-87-114 for the preceding~~
15 ~~fiscal year. The report must include information on the following:~~
16 ~~Approvals of plans and specifications for construction of dams and~~
17 ~~reservoirs and for alterations, modifications, repairs, and enlargements;~~
18 ~~number of safety inspections made and the results thereof; use of~~
19 ~~appropriated funds; receipts generated for inspections of dams and~~
20 ~~reservoirs; rules and regulations adopted or amended; enforcement orders~~
21 ~~and proceedings; dam failures and reasons therefor; and other available~~
22 ~~data regarding the effectiveness of the state's dam and reservoir safety~~
23 ~~program.~~

24 **SECTION 16.** In Colorado Revised Statutes, 37-95-116, **amend**
25 (1) as follows:

26 **37-95-116. Annual report - annual audit - annual budget.**
27 (1) On or before April 30 of each year, the authority shall make an

1 annual report of its activities for the preceding fiscal year to the governor.
2 ~~and the joint agriculture and natural resource committee of the house of~~
3 ~~representatives and the senate.~~ Each such report shall set forth a complete
4 operating and financial statement covering its operations during the year.
5 Included within such report shall be detailed financial data setting forth
6 the manner in which any previously appropriated state funds have been
7 used. The authority, no later than November 30 of each year, shall report
8 to the governor any requests for state funds for the upcoming state fiscal
9 year, detailing the purposes for which said funds are to be utilized.

10 **SECTION 17. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2018 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.30.16

DRAFT

LLS NO. 17-0278.01 Kristen Forrestal x4217

BILL (3)(e)(xi)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By DPA To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF PERSONNEL AND ADMINISTRATION TO THE**
103 **GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement. The bill addresses reporting requirements of the department of personnel and administration.

The bill repeals reports that are scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there are no repeal dates in the organic statutes.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-201, **amend**
3 (1) introductory portion; and **repeal** (1)(I) as follows:

4 **24-30-201. Accounts and control - controller.** (1) The powers,
5 duties, and functions concerning accounts and control as set forth in this
6 part 2 ~~shall be~~ ARE the responsibility of the state controller. The ~~controller~~
7 ~~shall be appointed by the~~ executive director of the department of
8 personnel SHALL APPOINT THE CONTROLLER, subject to ~~the provisions of~~
9 section 13 of article XII of the state constitution. The controller ~~shall~~
10 MUST be bonded in such amount as the executive director shall fix. The
11 powers and duties of the controller ~~shall be~~ ARE:

12 (I) ~~To make available to each member of the general assembly by~~
13 ~~November 1 of each year a report on all capital leases having a total value~~
14 ~~of five hundred thousand dollars or more, concerning real property~~
15 ~~pursuant to sections 24-82-102, 24-82-801, and 24-82-1204, concerning~~
16 ~~personal property pursuant to the "Procurement Code", articles 101 to 112~~
17 ~~of this title, and concerning lease-purchase agreements pursuant to section~~
18 ~~24-82-801. The controller shall notify, in the most cost-effective manner~~
19 ~~available, each member of the general assembly of the availability of the~~
20 ~~report and offer to provide the members with copies of the report. The~~
21 ~~controller shall require and each department and agency of the executive~~
22 ~~branch shall submit to the controller by October 1 of each year a report on~~
23 ~~capital leases having a total value of five hundred thousand dollars or~~

1 more, concerning real property pursuant to section 24-82-102, concerning
2 personal property pursuant to the "Procurement Code", articles 101 to 112
3 of this title, and concerning lease-purchase agreements pursuant to section
4 24-82-801, the payments of which are financed by appropriated funds to
5 which the department or agency is a party. For the purpose of this
6 paragraph (1), "capital lease" means a capital lease as defined in the
7 generally accepted accounting principles issued by the governmental
8 accounting standards board that the controller prescribes for the state as
9 specified in section 24-30-202 (12).

10 **SECTION 2.** In Colorado Revised Statutes, 24-30-202, **amend**
11 (26) as follows:

12 **24-30-202. Procedures - vouchers, warrants, and checks -**
13 **rules - penalties.** (26) The controller shall promulgate equitable fiscal
14 rules concerning travel policies applicable to state employees, including
15 methods of transportation, travel advances, reimbursements, travel
16 allowances, use of travel agents, and use of state or privately owned
17 vehicles, and may promulgate such rules for the implementation of a state
18 travel policy as he deems necessary to assure fair and reasonable
19 expenditures. The controller shall make available a report no later than
20 February 1 of each year to the governor ~~the joint budget committee, and~~
21 ~~the legislative audit committee~~ regarding the travel expenses of state
22 employees for the prior fiscal year. ~~Such~~ THE report ~~shall~~ MUST include
23 ~~but shall not be limited to,~~ an itemized list of the travel expenses of each
24 department including in-state travel, out-of-state travel, and
25 out-of-country travel. The controller shall notify THE GOVERNOR ~~in the~~
26 ~~most cost-effective manner available, the governor the joint budget~~
27 ~~committee, and the legislative audit committee~~ of the availability of the

1 report and ~~offering~~ OFFER to provide copies of the report.

2 **SECTION 3.** In Colorado Revised Statutes, 24-30-1104, **amend**
3 (2) introductory portion and (2)(c)(II) introductory portion; and **repeal**
4 (2)(c)(V) as follows:

5 **24-30-1104. Central services functions of the department -**
6 **definitions.** (2) In addition to the county-specific functions set forth in
7 subsection (1) of this section, the department of personnel shall take such
8 steps as are necessary to fully implement a central state motor vehicle
9 fleet system by January 1, 1993. The provisions of the motor vehicle fleet
10 system created pursuant to this subsection (2) ~~shall~~ apply to the executive
11 branch of the state of Colorado, its departments, its institutions, and its
12 agencies; except that the governing board of each institution of higher
13 education, by formal action of the board, and the Colorado commission
14 on higher education, by formal action of the commission, may elect to be
15 exempt from the provisions of this subsection (2) and may obtain a motor
16 vehicle fleet system independent of the state motor vehicle fleet system.
17 Under the direction of the executive director, the department of personnel
18 shall perform the following functions pertaining to the motor vehicle fleet
19 system throughout the state:

20 (c) (II) By January 1, 2008, the executive director shall adopt a
21 policy to significantly increase the utilization of alternative fuels and that
22 establishes increasing utilization objectives for each following year. To
23 encourage compliance with this policy, the rules promulgated pursuant to
24 this paragraph (c) may establish progressively more stringent percentage
25 mileposts and, for fiscal years commencing after July 1, 2004, require the
26 collection of data concerning the annual percentage of state-owned
27 bi-fueled vehicles that were fueled exclusively with an alternative fuel.

1 For the years commencing on January 1, 2008, and January 1, 2009, the
2 executive director shall purchase flexible fuel vehicles or hybrid vehicles,
3 subject to availability, unless the increased cost of such vehicle is more
4 than ten percent over the cost of a comparable dedicated petroleum fuel
5 vehicle. Beginning on January 1, 2010, the executive director shall
6 purchase motor vehicles that operate on compressed natural gas, plug-in
7 hybrid electric vehicles, or vehicles that operate on other alternative fuels,
8 subject to their availability and the availability of adequate fuel and
9 fueling infrastructure, if either the increased base cost of such vehicle or
10 the increased life-cycle cost of such vehicle is not more than ten percent
11 over the cost of a comparable dedicated petroleum fuel vehicle. The
12 executive director shall adopt a policy to allow some vehicles to be
13 exempted from this requirement. ~~The executive director or the director's~~
14 ~~designee shall submit an annual report to the transportation committees~~
15 ~~of the senate and the house of representatives, or any successor~~
16 ~~committees, and the joint budget committee of the general assembly,~~
17 ~~detailing the items specified in subparagraph (V) of this paragraph (c). As~~
18 ~~used in this subparagraph (II):~~

19 ~~(V) On or before November 1, 2013, and each November 1~~
20 ~~thereafter, the executive director or the director's designee shall submit a~~
21 ~~report to the general assembly as specified in subparagraph (II) of this~~
22 ~~paragraph (c). The report must include, but need not be limited to, the~~
23 ~~following:~~

24 ~~(A) The number of vehicles that the executive director or the~~
25 ~~director's designee purchased since January 1, 2008, for the motor vehicle~~
26 ~~fleet system that operate on compressed natural gas and other alternative~~
27 ~~fuels;~~

1 ~~(B) An estimate of the number of dedicated petroleum fuel~~
2 ~~vehicles that the executive director or the director's designee purchased~~
3 ~~for the motor vehicle fleet system since January 1, 2008, instead of a~~
4 ~~vehicle that operates on compressed natural gas or other alternative fuel~~
5 ~~because the base cost or life-cycle cost of the compressed natural gas~~
6 ~~vehicle or other alternative fuel vehicle was more than ten percent over~~
7 ~~the cost of a comparable dedicated petroleum fuel vehicle;~~

8 ~~(C) An explanation of the availability of adequate fuel and fueling~~
9 ~~infrastructure in the state for compressed natural gas vehicles and other~~
10 ~~alternative fuel vehicles and whether limited availability of fuel or fueling~~
11 ~~infrastructure contributes to the purchase of dedicated petroleum fuel~~
12 ~~vehicles for the motor vehicle fleet system instead of vehicles that operate~~
13 ~~on compressed natural gas and other alternative fuels;~~

14 ~~(D) A summary of the policy that allows the executive director to~~
15 ~~exempt some vehicles from the requirement to purchase vehicles that~~
16 ~~operate on compressed natural gas and the percentage of dedicated~~
17 ~~petroleum fuel vehicles that the director purchased pursuant to this~~
18 ~~exemption;~~

19 ~~(E) A summary of the administrative procedures or policies in~~
20 ~~place within the department, if any, that are intended to facilitate the~~
21 ~~purchase of vehicles that operate on compressed natural gas and other~~
22 ~~alternative fuels;~~

23 ~~(F) The executive director's suggested changes to the requirements~~
24 ~~and limitations of subparagraph (H) of this paragraph (c) or other state~~
25 ~~law that would facilitate the gradual conversion of the motor vehicle fleet~~
26 ~~system to vehicles that operate on compressed natural gas and other~~
27 ~~alternative fuels, allow the state to account for the benefit of reduced~~

1 ~~emissions from vehicles that operate on compressed natural gas and other~~
2 ~~alternative fuels in its analysis regarding the purchase of such vehicles,~~
3 ~~and enable the department to provide the best value to the state in the~~
4 ~~motor vehicle fleet system while purchasing vehicles that operate on~~
5 ~~compressed natural gas and other alternative fuels; and~~

6 ~~(G) A plan for putting in place the infrastructure necessary to~~
7 ~~support vehicles in the state's motor vehicle fleet system that operate on~~
8 ~~compressed natural gas and other alternative fuels.~~

9 **SECTION 4.** In Colorado Revised Statutes, 24-30-1303.5, **repeal**
10 **(6) and (7) as follows:**

11 **24-30-1303.5. Office of the state architect to prepare and**
12 **maintain inventory of state property - vacant facilities.** ~~(6) The office~~
13 ~~shall prepare an annual report of the acquisitions and dispositions of real~~
14 ~~property subject to this section and make the report available to the~~
15 ~~members of the capital development committee. Such report must include~~
16 ~~a description of the real property and its present use and value.~~

17 ~~(7) The office shall report annually to the capital development~~
18 ~~committee regarding contracting documents, project guidelines, and~~
19 ~~reporting and tracking procedures related to the implementation of this~~
20 ~~section.~~

21 **SECTION 5.** In Colorado Revised Statutes, 24-50-104, **repeal**
22 **(1)(c.5)(V) as follows:**

23 **24-50-104. Job evaluation and compensation - state employee**
24 **reserve fund - created - definitions. (1) Total compensation**
25 **philosophy. (c.5) (V)** ~~The state personnel director shall monitor~~
26 ~~compliance with the requirements of this paragraph (c.5) and paragraph~~
27 ~~(c) of this subsection (1) and shall annually report the director's findings~~

1 pertaining to the prior fiscal year no later than January 1 of the following
2 fiscal year to the joint budget committee of the general assembly. The
3 report shall include, by department or institution, the number of
4 supervisors who were suspended or demoted, the percentage of all
5 supervisors who complied with the requirements of this paragraph (c.5),
6 the total amount of dollars that were awarded to employees for merit pay,
7 the total amount of those dollars awarded for each priority group and each
8 salary range and performance category, any reversion amounts that were
9 transferred for the prior state fiscal year pursuant to subparagraph (IV) of
10 paragraph (j) of this subsection (1), the line item appropriation related to
11 each reversion amount, and the balance in the department's account
12 within the state employee reserve fund as of the date of the report.

13 **SECTION 6.** In Colorado Revised Statutes, 24-75-201.3, **repeal**
14 (2) as follows:

15 **24-75-201.3. Procedures relating to revenue estimates.** (2) No
16 later than June 20 prior to the beginning of each fiscal year, and no later
17 than September 20, December 20, and March 20 within each fiscal year,
18 the governor, with the assistance of the controller, the office of state
19 planning and budgeting, and the governor's revenue-estimating advisory
20 group, shall make an estimate of general fund revenues for such fiscal
21 year. Copies of each such revenue estimate must be promptly transmitted
22 to the general assembly. Such revenue estimates are used in the
23 implementation of section 24-75-201.5 but are not binding on the general
24 assembly in determining the amount of general funds available for
25 appropriation for the next ensuing fiscal year.

26 **SECTION 7.** In Colorado Revised Statutes, 24-75-212, **repeal** (2)
27 as follows:

1 **24-75-212. Legislative reporting of federal money - definitions.**

2 ~~(2) In accordance with the provisions of section 24-1-136 (9), the~~
3 ~~controller shall submit to the general assembly by November 1 of each~~
4 ~~year a report of all federal moneys, including the same matters required~~
5 ~~by subsection (1) of this section, received by each state agency during the~~
6 ~~prior state fiscal year. In the report, the controller shall identify any state~~
7 ~~agency that failed to submit a report as required by this section.~~

8 **SECTION 8.** In Colorado Revised Statutes, 24-77-106.5, **amend**

9 (1)(b) as follows:

10 **24-77-106.5. Annual financial report - certification of excess**

11 **state revenues.** (1) (b) Based upon the financial report prepared in
12 accordance with paragraph (a) of this subsection (1) for any given fiscal
13 year, the controller shall certify to the governor ~~the general assembly~~, and
14 the executive director of the department of revenue no later than
15 September 1 following the end of a fiscal year the amount of state
16 revenues in excess of the limitation on state fiscal year spending imposed
17 by section 20 (7) (a) of article X of the state constitution, if any, for such
18 fiscal year and the state revenues in excess of such limitation that the state
19 is authorized to retain and spend pursuant to voter approval of section
20 24-77-103.6.

21 **SECTION 9.** In Colorado Revised Statutes, 24-102-205, **repeal**

22 (7) as follows:

23 **24-102-205. Centralized contract management system -**
24 **personal services contracts - legislative declaration - definitions.**

25 ~~(7) (a) Commencing on September 30, 2007, until such time as the~~
26 ~~development of the system created in paragraph (a) of subsection (3) of~~
27 ~~this section is complete, the department shall provide reports on a~~

1 ~~quarterly basis to the joint budget committee of the general assembly~~
2 ~~concerning the status of the development of the system.~~

3 ~~(b) The department shall annually report information on personal~~
4 ~~services contracts contained in the centralized contract management~~
5 ~~system created in paragraph (a) of subsection (3) of this section to the~~
6 ~~standing legislative committees of reference in each house of the general~~
7 ~~assembly with oversight responsibilities over the department's affairs.~~

8 ~~(c) With respect to any sole-source personal services contract~~
9 ~~identified in the system required to be maintained by the department~~
10 ~~pursuant to paragraph (a) of subsection (3) of this section, the department~~
11 ~~shall submit an annual report to the legislative council of the general~~
12 ~~assembly created in section 2-3-301 (1), C.R.S., concerning any new~~
13 ~~contract entered into by the state during the prior calendar year. Each~~
14 ~~report shall describe, without limitation, the following:~~

15 ~~(I) The number and aggregate value of the sole-source personal~~
16 ~~services contracts for each category of services specified in subsection (4)~~
17 ~~of this section; and~~

18 ~~(II) The justification provided by the governmental body for the~~
19 ~~use of the sole-source contracting provisions in section 24-103-205 and~~
20 ~~the steps taken to determine if a vendor is the only available source for~~
21 ~~the required supply, service, or construction item.~~

22 **SECTION 10. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2018 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
12.1.16

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LLS NO. 17-0476.01 Kristen Forrestal x4217

BILL (3)(e)(xii)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By CDPHE To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO THE**
103 **GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement. The bill addresses reporting requirements of the department of public health and environment.

Sections 1 through 6, 8 through 11, 13, and 15 of the bill repeal reports that are or were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there are no repeal dates listed in the organic statute.

Sections 7, 12, and 14 of the bill add a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25-1.5-101, **repeal**
3 (1)(w)(III)(A) as follows:

4 **25-1.5-101. Powers and duties of department - laboratory cash**
5 **fund.** (1) The department has, in addition to all other powers and duties
6 imposed upon it by law, the powers and duties provided in this section as
7 follows:

8 (w) (III) (A) ~~As part of its duties as coordinator for suicide~~
9 ~~prevention programs, on or before each November 1, the department shall~~
10 ~~submit to the chairs of the senate health and human services committee~~
11 ~~and the house of representatives health and environment committee, or~~
12 ~~their successor committees, and to the members of the joint budget~~
13 ~~committee a report listing all suicide prevention programs in the state and~~
14 ~~describing the effectiveness of the department acting as the coordinator~~
15 ~~for suicide prevention programs. For the report submitted in 2013 and~~
16 ~~each year thereafter, the department shall include any findings and~~
17 ~~recommendations it has to improve suicide prevention in the state.~~

18 **SECTION 2.** In Colorado Revised Statutes, **amend** 25-1.5-110
19 as follows:

20 **25-1.5-110. Monitor health effects of marijuana.** The
21 department shall monitor changes in drug use patterns, broken down by

1 county and race and ethnicity, and the emerging science and medical
2 information relevant to the health effects associated with marijuana use.
3 The department shall appoint a panel of health care professionals with
4 expertise in cannabinoid physiology to monitor the relevant information.
5 The panel shall provide a report by January 31, 2015, and every two years
6 thereafter to the state board of health AND the department of revenue. ~~and~~
7 ~~the general assembly~~. The department shall make the report available on
8 its website. The panel shall establish criteria for studies to be reviewed,
9 reviewing studies and other data, and making recommendations, as
10 appropriate, for policies intended to protect consumers of marijuana or
11 marijuana products and the general public. The department may collect
12 Colorado-specific data that reports adverse health events involving
13 marijuana use from the all-payer claims database, hospital discharge data,
14 and behavioral risk factors. The department and panel are not required to
15 perform the duties required by this section until the marijuana cash fund,
16 created in section 12-43.3-501, ~~C.R.S.~~ has received sufficient revenue to
17 fully fund the appropriations made to the department of revenue related
18 to articles 43.3 and 43.4 of title 12 ~~C.R.S.~~, and the appropriation to the
19 division of criminal justice related to section 24-33.5-516 ~~C.R.S.~~, and the
20 general assembly has appropriated sufficient ~~moneys~~ MONEY from the
21 fund to the department to pay for the monitoring required by this section.

22 **SECTION 3.** In Colorado Revised Statutes, **repeal** 25-3-603 as
23 follows:

24 **25-3-603. Department reports.** ~~(1) On or before January 15,~~
25 ~~2008, and each January 15 thereafter, the department shall submit to the~~
26 ~~health and human services committees of the house of representatives and~~
27 ~~of the senate a report summarizing the risk-adjusted health-facility data.~~

1 ~~The department shall post the report on its web site.~~

2 ~~(2) The department shall issue semi-annual informational bulletins~~
3 ~~summarizing all or part of the information submitted in the health-facility~~
4 ~~reports.~~

5 ~~(3) (a) All data in reports issued by the department shall be~~
6 ~~risk-adjusted consistent with the standards of the national healthcare~~
7 ~~safety network.~~

8 ~~(b) The annual report shall compare the risk-adjusted,~~
9 ~~hospital-acquired infection rates, collected under section 25-3-602, for~~
10 ~~each individual health facility in the state. The department, in consultation~~
11 ~~with the advisory committee, shall make this comparison as easy to~~
12 ~~comprehend as possible. The report shall include an executive summary,~~
13 ~~written in plain language, that includes, but is not limited to, a discussion~~
14 ~~of findings, conclusions, and trends concerning the overall state of~~
15 ~~hospital-acquired infections in the state, including a comparison to prior~~
16 ~~years when available. The report may include policy recommendations as~~
17 ~~appropriate.~~

18 ~~(c) The department shall publicize the report and its availability~~
19 ~~as widely as practical to interested parties, including but not limited to~~
20 ~~health facilities, providers, media organizations, health insurers, health~~
21 ~~maintenance organizations, purchasers of health insurance, organized~~
22 ~~labor, consumer or patient advocacy groups, and individual consumers.~~
23 ~~The annual report shall be made available to any person upon request.~~

24 ~~(d) A health-facility report or department disclosure may not~~
25 ~~contain information identifying a patient, employee, or licensed health~~
26 ~~care professional in connection with a specific infection incident.~~

27 **SECTION 4.** In Colorado Revised Statutes, 25-3-702, **amend**

1 (2)(b) as follows:

2 **25-3-702. Comprehensive hospital information system -**
3 **executive director - duties - definitions.** (2) In order to implement this
4 section the executive director or his or her designee shall:

5 (b) On or before May 15, 2007, submit an initial plan and an
6 annual update to the plan and a report on the status of implementation to
7 the governor ~~the president of the senate, and the speaker of the house of~~
8 ~~representatives with copies to all members of the general assembly and~~
9 ~~available~~ to the public, ~~on an internet~~ VIA A website. The plan shall
10 identify the process and time frames for implementation, barriers to
11 implementation, and recommendations of changes in the law that may be
12 enacted by the general assembly to eliminate the barriers.

13 **SECTION 5.** In Colorado Revised Statutes, 25-3.5-704, **amend**
14 (2)(h)(I)(E) as follows:

15 **25-3.5-704. Statewide emergency medical and trauma care**
16 **system - development and implementation - duties of department -**
17 **rules adopted by board.** (2) The board shall adopt rules for the
18 statewide emergency medical and trauma care system, including but not
19 limited to the following:

20 (h) (I) **Continuing quality improvement system (CQI).** These
21 rules require the department to oversee a continuing quality improvement
22 system for the statewide emergency medical and trauma care system. The
23 board shall specify the methods and periods for assessing the quality of
24 regional emergency medical and trauma systems and the statewide
25 emergency medical and trauma care system. These rules ~~MUST include but~~
26 ~~are not limited to,~~ the following requirements:

27 (E) That the department be allowed access to prehospital, hospital,

1 and coroner records of emergency medical and trauma patients to assess
2 the continuing quality improvement system for the area and state-based
3 injury prevention and public information and education programs
4 pursuant to ~~paragraph (g) of this subsection (2)~~ SUBSECTION (2)(g) OF THIS
5 SECTION. All information provided to the department shall be confidential
6 pursuant to ~~subparagraph (H) of this paragraph (h)~~ THIS SUBSECTION
7 (2)(h). To the greatest extent possible, patient-identifying information
8 shall not be gathered. If patient-identifying information is necessary, the
9 department shall keep such information strictly confidential, and such
10 information may only be released outside of the department upon written
11 authorization of the patient. The department shall prepare an annual
12 report that includes an evaluation of the statewide emergency medical and
13 trauma services system. Such report shall be distributed to all designated
14 trauma centers, ambulance services, and service agencies. ~~and to the~~
15 ~~chairpersons of the health and human services committees of the house~~
16 ~~of representatives and the senate, or any successor committees.~~

17 **SECTION 6.** In Colorado Revised Statutes, **repeal** 25-8-305 as
18 follows:

19 **25-8-305. Annual report.** ~~On or before October 1 of each year,~~
20 ~~the division through the executive director shall report to the commission~~
21 ~~on the effectiveness of the provisions of this article and shall include in~~
22 ~~such report such recommendations as it may have with respect to any~~
23 ~~regulatory or legislative changes that may be needed or desired. Such~~
24 ~~report shall include the then current information that has been obtained~~
25 ~~pursuant to section 25-8-303 and information concerning the status of the~~
26 ~~division's implementation of the discharge permit program established in~~
27 ~~part 5 of this article. The report shall be filed with the house agriculture,~~

1 ~~livestock, and natural resources committee and the senate agriculture,~~
2 ~~natural resources, and energy committee, or any successor committees.~~

3 **SECTION 7.** In Colorado Revised Statutes, 25-8-502, **amend**
4 (1.7) as follows:

5 **25-8-502. Application - definitions - fees - water quality**
6 **control fund - animal feeding operation fund - public participation -**
7 **repeal.** (1.7) (a) Commencing in 2016, the department of public health
8 and environment shall report annually to:

9 (a) (I) The senate agriculture and natural resources committee and
10 the house of representatives agriculture, livestock, and natural resources
11 committee, or their successor committees, on the environmental
12 agriculture program. The report must include the number of permits
13 processed, the number of inspections conducted, the number of
14 enforcement actions taken, and the costs associated with all program
15 activities during the preceding year. The department shall submit the
16 report on or before March 31 of each year. ~~and~~

17 (b) (II) The joint budget committee regarding the fee revenue
18 received from each sector specified in subsection (1.1) of this section.

19 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
20 (1.7) IS REPEALED, EFFECTIVE APRIL 1, 2019.

21 **SECTION 8.** In Colorado Revised Statutes, 25-15-301.5, **repeal**
22 (3) as follows:

23 **25-15-301.5. Additional powers of department - legislative**
24 **declaration - report.** (3) ~~The department is directed to submit a report~~
25 ~~to the general assembly on or before February 1, 2002, and annually on~~
26 ~~or before each February 1 thereafter that describes the status of the~~
27 ~~hazardous waste control program, the department's efforts to carry out its~~

1 statutory responsibilities at the lowest possible cost without jeopardizing
2 the intent stated in subsection (1) of this section, and the department's
3 implementation of the authority to accept environmental covenants
4 created pursuant to section 25-15-321.

5 **SECTION 9.** In Colorado Revised Statutes, 25-16.5-105, **amend**
6 (1)(m)(I) as follows:

7 **25-16.5-105. Powers and duties of advisory board.** (1) The
8 advisory board has the following powers and duties:

9 (m) (I) In accordance with the provisions of ~~subparagraph (H) of~~
10 ~~this paragraph (m)~~, SUBSECTION (1)(m)(II) OF THIS SECTION, to submit an
11 annual report to the department of local affairs, the department, AND the
12 Colorado energy office created in section 24-38.5-101. ~~C.R.S. and the~~
13 ~~standing committee of reference in each house of the general assembly~~
14 ~~exercising jurisdiction over matters concerning public health and the~~
15 ~~environment.~~

16 **SECTION 10.** In Colorado Revised Statutes, 25-17-405, **repeal**
17 (3)(b) as follows:

18 **25-17-405. Paint stewardship program requirements - annual**
19 **reports - customer information.** (3) (b) ~~The executive director shall~~
20 ~~annually compile the results of the reports received pursuant to paragraph~~
21 ~~(a) of this subsection (3) into a general report describing the progress of~~
22 ~~the paint stewardship programs. The executive director shall annually~~
23 ~~present the report to the health and human services committee of the~~
24 ~~senate and the public health care and human services committee of the~~
25 ~~house of representatives, or their successor committees.~~

26 **SECTION 11.** In Colorado Revised Statutes, 25-20.5-108,
27 **amend** (6) as follows:

1 **25-20.5-108. Prevention, intervention, and treatment program**
2 **requirements - reports - reviews - annual review summary.** (6) The
3 division shall annually prepare or oversee the preparation of an executive
4 summary of the prevention, intervention, and treatment program reviews
5 conducted during the preceding year and submit such summary to the
6 governor, ~~to the general assembly~~, to each state department that operates
7 a prevention, intervention, and treatment program, and to each entity that
8 received state or federal funds for operation of a prevention, intervention,
9 and treatment program during the fiscal year for which the summary is
10 prepared. In addition, the division shall provide copies of the summary to
11 any person upon request.

12 **SECTION 12.** In Colorado Revised Statutes, 25-20.5-407,
13 **amend** (1)(g) as follows:

14 **25-20.5-407. State review team - duties - definitions - repeal.**

15 (1) The state review team shall:

16 (g) (I) Report to the governor ~~and to the public health care and~~
17 ~~human services committee and the judiciary committee of the house of~~
18 ~~representatives and the health and human services committee and the~~
19 ~~judiciary committee of the senate of the Colorado general assembly, or~~
20 ~~any successor committees~~, concerning any recommendations for changes
21 to any law, rule, or policy that the state review team has determined will
22 promote the safety and well-being of children. The state review team shall
23 report annually on or before July 1, 2014, and on or before July 1 each
24 year thereafter. In its report, the state review team shall provide a list of
25 system strengths and weaknesses identified through the review process
26 and recommendations for preventive actions to promote the safety and
27 well-being of children. The annual report must include an analysis of the

1 state review team's recommendations from the previous year and state
2 what policy changes, if any, were made to improve child safety and
3 well-being. The state review team shall make the annual report publicly
4 available and will conduct outreach efforts to educate members of the
5 child protection community on report findings.

6 (II) REPORT THE RECOMMENDATIONS FOR CHANGES IN SUBSECTION
7 (1)(g)(I) OF THIS SECTION TO THE PUBLIC HEALTH CARE AND HUMAN
8 SERVICES COMMITTEE AND THE JUDICIARY COMMITTEE OF THE HOUSE OF
9 REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE
10 AND THE JUDICIARY COMMITTEE OF THE SENATE OF THE COLORADO
11 GENERAL ASSEMBLY, OR ANY SUCCESSOR COMMITTEES. PURSUANT TO
12 SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION (1)(g)(II) IS REPEALED,
13 EFFECTIVE JULY 2, 2017.

14 **SECTION 13.** In Colorado Revised Statutes, **amend** 25-25-131
15 as follows:

16 **25-25-131. Annual report.** The authority shall submit to the
17 governor ~~and the general assembly~~ within six months after the end of the
18 fiscal year a report which shall set forth a complete and detailed operating
19 and financial statement of the authority during such year. Also included
20 in the report shall be any recommendations with reference to additional
21 legislation or other action that may be necessary to carry out the purposes
22 of the authority.

23 **SECTION 14.** In Colorado Revised Statutes, 25-44-102, **amend**
24 (6) as follows:

25 **25-44-102. Comprehensive human sexuality education grant**
26 **program - creation - application for federal money - notification to**
27 **schools - rules - repeal.** (6) (a) On or before January 30, 2017, and every

1 year thereafter in which grants have been awarded pursuant to this article,
2 the department shall submit a report concerning the outcomes of the
3 program to the state board of education, the department of education, and
4 the education committees of the senate and house of representatives, the
5 health and human services committee of the senate, and the public health
6 care and human services committee of the house of representatives, or
7 any successor committees. The report must include, at a minimum:

8 (a) (I) The number of public schools and school districts that
9 received a grant under the program;

10 (b) (II) The number of students reached and the curriculum
11 utilized;

12 (c) (III) The amount of each grant awarded;

13 (d) (IV) The average amount of all grants awarded; and

14 (e) (V) The source and amount of each gift, grant, or donation
15 received by the department for the implementation of this article.

16 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
17 (6) IS REPEALED, EFFECTIVE JULY 2, 2020.

18 **SECTION 15.** In Colorado Revised Statutes, 30-20-101.5, **repeal**
19 (3) as follows:

20 **30-20-101.5. Additional powers of the department - legislative**
21 **declaration.** (3) ~~On or before February 1, 2008, and not later than~~
22 ~~February 1 of each year thereafter, the department shall submit a report~~
23 ~~to the standing committee of reference in each house of the general~~
24 ~~assembly exercising jurisdiction over matters concerning public health~~
25 ~~and the environment that describes the status of the solid waste~~
26 ~~management program, the department's efforts to satisfy its statutory~~
27 ~~responsibilities at the lowest possible cost while meeting the legislative~~

1 ~~intent specified in subsection (1) of this section, and the department's~~
2 ~~implementation of the authority to accept environmental covenants~~
3 ~~created pursuant to section 25-15-321, C.R.S.~~

4 **SECTION 16. Effective date.** (1) Except as otherwise provided
5 in this section, this act takes effect upon passage.

6 (2) (a) Section 2 of this act takes effect February 1, 2018.

7 (b) Section 12 of this act takes effect July 2, 2017.

8 **SECTION 17. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.29.16

DRAFT

LLS NO. 17-0279.01 Kristen Forrestal x4217

BILL (3)(e)(xiii)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By DPS To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF PUBLIC SAFETY TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement.

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

The bill repeals reporting requirements by the department of regulatory agencies that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 16-11.7-109, **repeal**
3 (2) as follows:

4 **16-11.7-109. Reporting requirements - legislative declaration.**

5 ~~(2) On or before January 31, 2012, and on or before January 31 each year~~
6 ~~thereafter, the board shall prepare and present to the judiciary committees~~
7 ~~of the senate and the house of representatives, or any successor~~
8 ~~committees, a written report concerning best practices for the treatment~~
9 ~~and management of adult sex offenders and juveniles who have~~
10 ~~committed sexual offenses, including any evidence-based analysis of~~
11 ~~treatment standards and programs as well as information concerning any~~
12 ~~new federal legislation relating to the treatment and management of adult~~
13 ~~sex offenders and juveniles who have committed sexual offenses. The~~
14 ~~report may include the board's recommendations for legislation to carry~~
15 ~~out the purpose and duties of the board to protect the community.~~

16 **SECTION 2.** In Colorado Revised Statutes, 17-22.5-404, **amend**
17 (6)(e)(I) as follows:

18 **17-22.5-404. Parole guidelines.** (6) (e) (I) (A) Notwithstanding
19 section 24-1-136 (11) (a), C.R.S., on or before March 31, 2017, and on
20 or before March 31 each year thereafter, the state board of parole and the
21 division of criminal justice in the department of public safety shall issue
22 a report to the general assembly regarding outcomes of decisions by the
23 state board of parole. The data must be reported to the general assembly

1 only in the aggregate.

2 (B) THIS SUBSECTION (6)(e)(I) IS REPEALED, EFFECTIVE APRIL 1.
3 2020.

4 **SECTION 3.** In Colorado Revised Statutes, 18-1.3-407, **repeal**
5 (10)(b) as follows:

6 **18-1.3-407. Sentences - youthful offenders - legislative**
7 **declaration - powers and duties of district court - authorization for**
8 **youthful offender system - powers and duties of department of**
9 **corrections - definitions.** (10) (b) ~~The division of criminal justice shall~~
10 ~~independently monitor and evaluate, or contract with a public or private~~
11 ~~entity to independently monitor and evaluate, the youthful offender~~
12 ~~system. On or before November 1, 2002, and on or before November 1~~
13 ~~every two years thereafter, the division of criminal justice shall report its~~
14 ~~findings, or the findings of the contract entity, to the judiciary committees~~
15 ~~of the senate and the house of representatives. The department of~~
16 ~~corrections shall cooperate in providing the necessary data to the division~~
17 ~~of criminal justice or an entity designated by the division of criminal~~
18 ~~justice to complete the evaluation required in this section.~~

19 **SECTION 4.** In Colorado Revised Statutes, **repeal** 18-1.3-1011
20 as follows:

21 **18-1.3-1011. Annual report.** (1) ~~On or before November 1,~~
22 ~~2000, and on or before each November 1 thereafter, the department of~~
23 ~~corrections, the department of public safety, and the judicial department~~
24 ~~shall submit a report to the judiciary committees of the house of~~
25 ~~representatives and the senate, or any successor committees, and to the~~
26 ~~joint budget committee of the general assembly specifying, at a minimum:~~

27 (a) ~~The impact on the prison population, the parole population,~~

1 ~~and the probation population in the state due to the extended length of~~
2 ~~incarceration and supervision provided for in sections 18-1.3-1004,~~
3 ~~18-1.3-1006, and 18-1.3-1008;~~

4 ~~(b) The number of offenders placed in the intensive supervision~~
5 ~~parole program and the intensive supervision probation program and the~~
6 ~~length of supervision of offenders in said programs;~~

7 ~~(c) The number of sex offenders sentenced pursuant to this part~~
8 ~~10 who received parole release hearings and the number released on~~
9 ~~parole during the preceding twelve months, if any;~~

10 ~~(d) The number of sex offenders sentenced pursuant to this part~~
11 ~~10 who received parole or probation discharge hearings and the number~~
12 ~~discharged from parole or probation during the preceding twelve months,~~
13 ~~if any;~~

14 ~~(e) The number of sex offenders sentenced pursuant to this part~~
15 ~~10 who received parole or probation revocation hearings and the number~~
16 ~~whose parole or probation was revoked during the preceding twelve~~
17 ~~months, if any;~~

18 ~~(f) A summary of the evaluation instruments developed by the~~
19 ~~management board and use of the evaluation instruments in evaluating~~
20 ~~sex offenders pursuant to this part 10;~~

21 ~~(g) The availability of sex offender treatment providers~~
22 ~~throughout the state, including location of the treatment providers, the~~
23 ~~services provided, and the amount paid by offenders and by the state for~~
24 ~~the services provided, and the manner of regulation and review of the~~
25 ~~services provided by sex offender treatment providers;~~

26 ~~(h) The average number of sex offenders sentenced pursuant to~~
27 ~~this part 10 that participated in phase I and phase II of the department's~~

1 sex offender treatment and monitoring program during each month of the
2 preceding twelve months;

3 (i) ~~The number of sex offenders sentenced pursuant to this part 10~~
4 ~~who were denied admission to treatment in phase I and phase II of the~~
5 ~~department's sex offender treatment and monitoring program for reasons~~
6 ~~other than length of remaining sentence during each month of the~~
7 ~~preceding twelve months;~~

8 (j) ~~The number of sex offenders sentenced pursuant to this part 10~~
9 ~~who were terminated from phase I and phase II of the department's sex~~
10 ~~offender treatment and monitoring program during the preceding twelve~~
11 ~~months and the reason for termination in each case;~~

12 (k) ~~The average length of participation by sex offenders sentenced~~
13 ~~pursuant to this part 10 in phase I and phase II of the department's sex~~
14 ~~offender treatment and monitoring program during the preceding twelve~~
15 ~~months;~~

16 (l) ~~The number of sex offenders sentenced pursuant to this part 10~~
17 ~~who were denied readmission to phase I and phase II of the department's~~
18 ~~sex offender treatment and monitoring program after having previously~~
19 ~~been terminated from the program during the preceding twelve months;~~

20 (m) ~~The number of sex offenders sentenced pursuant to this part~~
21 ~~10 who were recommended by the department's sex offender treatment~~
22 ~~and monitoring program to the parole board for release on parole during~~
23 ~~the preceding twelve months and whether the recommendation was~~
24 ~~followed in each case; and~~

25 (n) ~~The number of sex offenders sentenced pursuant to this part~~
26 ~~10 who were recommended by the department's sex offender treatment~~
27 ~~and monitoring program for placement in community corrections during~~

1 ~~the preceding twelve months and whether the recommendation was~~
2 ~~followed in each case.~~

3 **SECTION 5.** In Colorado Revised Statutes, **amend** 18-6-803.9
4 as follows:

5 **18-6-803.9. Assaults and deaths related to domestic violence**
6 **- report.** The Colorado bureau of investigation shall prepare a report by
7 November 1, 1995, and by November 1 of each year thereafter, ~~to~~ FOR the
8 governor ~~the president of the senate, and the speaker of the house of~~
9 ~~representatives~~ on the number of assaults related to and the number of
10 deaths caused directly by domestic violence, including, but not limited to,
11 homicides of victims, self-defense killings of alleged perpetrators, and
12 incidental killings of children, peace officers, persons at work, neighbors,
13 and bystanders in the course of episodes of domestic violence.

14 **SECTION 6.** In Colorado Revised Statutes, **amend**
15 24-33.5-415.2 as follows:

16 **24-33.5-415.2. Receipt of proceeds from forfeited property.**
17 The division of the Colorado bureau of investigation is authorized to
18 accept, receive, and expend proceeds allocated to the division after sale
19 of forfeited property pursuant to part 3 or 5 of article 13 of title 16 ~~C.R.S.~~,
20 or article 17 of title 18 ~~C.R.S.~~, and such funds shall be in addition to the
21 ~~moneys~~ MONEY appropriated to the division by the general assembly. ~~The~~
22 ~~executive director shall submit an annual report to the joint budget~~
23 ~~committee at the time the annual budget request is submitted providing~~
24 ~~information on the amounts received under this section, if any, and the~~
25 ~~uses made thereof.~~

26 **SECTION 7.** In Colorado Revised Statutes, 24-33.5-424, **repeal**
27 (3.5)(f) as follows:

1 **24-33.5-424. National instant criminal background check**
2 **system - state point of contact - fee - grounds for denial of firearm**
3 **transfer - appeal - rule-making - unlawful acts - instant criminal**
4 **background check cash fund - creation.** (3.5) (f) ~~On January 15, 2014,~~
5 ~~and on January 15 of each calendar year thereafter, the bureau shall report~~
6 ~~to the joint budget committee concerning:~~

7 ~~(I) The number of full-time employees used by the bureau in the~~
8 ~~preceding year for the purpose of performing background checks pursuant~~
9 ~~to this section; and~~

10 ~~(II) The calculations used by the bureau to determine the amount~~
11 ~~of the fee imposed pursuant to this subsection (3.5).~~

12 **SECTION 8.** In Colorado Revised Statutes, 24-33.5-503, **amend**
13 **(2)(a)(II); and repeal (1)(s) and (1)(v) as follows:**

14 **24-33.5-503. Duties of division.** (1) The division has the
15 following duties:

16 ~~(s) To report, on or before January 15, 2011, and every five years~~
17 ~~thereafter, in consultation with the state economist, to the judiciary~~
18 ~~committees of the senate and the house of representatives, or any~~
19 ~~successor committees, recommendations for changes to value-based~~
20 ~~crimes based upon inflationary changes during the previous five years;~~

21 ~~(v) To provide to the judiciary committees of the senate and the~~
22 ~~house of representatives, or any successor committees, a status report on~~
23 ~~the effect on parole outcomes and use of any moneys allocated pursuant~~
24 ~~to House Bill 10-1360, enacted in 2010;~~

25 ~~(2) (a) (II) The division shall submit the report to the education~~
26 ~~and judiciary committees of the house of representatives and the senate,~~
27 ~~or any successor committees. The division shall provide the report to any~~

1 member of the public upon request, in a manner that does not include any
2 identifying information regarding any student. If the division provides the
3 information to a member of the public upon request pursuant to this
4 ~~paragraph (a)~~ SUBSECTION (2)(a), the division may charge a fee to the
5 person, which fee shall not exceed the direct and indirect costs incurred
6 by the division in providing the information. ~~Provided that~~ If the division
7 adheres to all state and federal privacy and confidentiality laws
8 concerning student information, the division may provide the aggregate
9 data gathered by a law enforcement agency to any independent research
10 or community-based organization working to analyze school-based
11 criminal behavior and the response to that behavior by the juvenile and
12 criminal justice systems. The data provided must not include any
13 information that would identify any individual student.

14 **SECTION 9. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2018 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.29.16

DRAFT

LLS NO. 17-0280.01 Kristen Forrestal x4217

BILL (3)(e)(xiv)

Statutory Revision Committee

BILL TOPIC: "Reporting Rqmnts By DORA To GA"

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF REGULATORY AGENCIES TO THE GENERAL
103 ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement.

The bill repeals reporting requirements by the department of regulatory agencies that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 8-45-121, **amend** (4) as follows:

8-45-121. Visitation of fund by commissioner of insurance - annual audit - examination. (4) At least once every three years, the commissioner of insurance shall conduct an examination of ~~said~~ THE fund, ~~such examination~~ to be conducted in the same manner as an examination of a private insurance carrier. With respect to ~~such~~ THE examination, ~~the provisions of section 10-1-204 C.R.S., shall be applicable. The commissioner of insurance shall transmit a copy of the commissioner's examination to the governor, the state auditor, the general assembly, the executive director of the department of labor and employment, and the chief executive officer~~ APPLIES.

SECTION 2. In Colorado Revised Statutes, 10-3-207, **repeal** (1)(f)(IV) as follows:

10-3-207. Fees paid by insurance companies. (1) Every entity regulated by the division in this state shall pay the following fees to the division:

(f) (IV) ~~Commencing January 1, 2009, the division shall provide annual reports to the joint budget committee, the senate business, labor, and technology committee, and the house business affairs and labor committee, or any such successor committees, and shall post on the division's website a statistical report of the number of enforcement~~

1 ~~actions taken, market trends associated with title insurance and real estate~~
2 ~~transactions, and consumer complaints supported by the fee in~~
3 ~~subparagraph (f) of this paragraph (f).~~

4 **SECTION 3.** In Colorado Revised Statutes, 10-16-111, **amend**
5 ~~(4)(c); and repeal (4)(d) as follows:~~

6 **10-16-111. Annual statements and reports - rules.**

7 ~~(4) **Carriers.** (c) The commissioner shall aggregate the data submitted~~
8 ~~pursuant to paragraph (a) of this subsection (4) for all carriers and publish~~
9 ~~the information on the division's website. The commissioner shall submit~~
10 ~~a report annually to the general assembly that analyzes the cost of health~~
11 ~~care and the factors that drive the cost of health care on an individual and~~
12 ~~group basis in this state.~~

13 ~~(d) The commissioner shall report annually to the general~~
14 ~~assembly regarding financial information on carriers that includes, but is~~
15 ~~not limited to, benefits ratios, rate increases, and the reasons or data~~
16 ~~tracked for cost increases, as applicable for health insurance provided~~
17 ~~pursuant to this article.~~

18 **SECTION 4.** In Colorado Revised Statutes, **repeal** 10-16-128 as
19 follows:

20 **10-16-128. Annual report to general assembly.** ~~The~~
21 ~~commissioner shall report to the business affairs and labor committee of~~
22 ~~the house of representatives and the business, labor, and technology~~
23 ~~committee of the senate, or any successor committees, no later than~~
24 ~~October 1, 2004, and every October 1 thereafter. The report shall be an~~
25 ~~indication of the number, nature, and outcome of complaints against~~
26 ~~insurers during the preceding twelve months.~~

27 **SECTION 5.** In Colorado Revised Statutes, 40-2-103, **repeal** (2)

1 as follows:

2 **40-2-103. Director - duties - report.** (2) ~~(a) Beginning with the~~
3 ~~second regular session of the sixty-ninth general assembly, the director of~~
4 ~~the commission or the director's designee shall present an annual report~~
5 ~~to the joint house and senate transportation committees and to the house~~
6 ~~business, labor, and economic and workforce development committee and~~
7 ~~the senate business, labor, and technology committee, or any successor~~
8 ~~committees, regarding energy rate cases that came before the commission~~
9 ~~during the immediately preceding two years. The report and any~~
10 ~~accompanying materials may be prepared and submitted to the~~
11 ~~committees in hard copy form or electronically and must include a~~
12 ~~synopsis, in plain language, of the issues and the outcome of each energy~~
13 ~~utility rate case; the amount of any increase or decrease in rates that~~
14 ~~resulted from each energy utility rate case, expressed as a percentage of~~
15 ~~the total amount billed to ratepayers per month and per year; and the~~
16 ~~dollar amount of the average increase or decrease in the monthly bill paid~~
17 ~~by each class of energy utility ratepayers. In addition, the director shall~~
18 ~~make the plain-language synopsis available to the public by posting the~~
19 ~~synopsis on the commission's website.~~

20 ~~(b) The director may report on matters outside the scope of the~~
21 ~~evidence and testimony presented at a rate case hearing.~~

22 ~~(c) The report described in this subsection (2) may be presented~~
23 ~~at the same time as, and the director is encouraged to accompany it with,~~
24 ~~any other formal or informal report on the commission's operations,~~
25 ~~including a consumer savings report.~~

26 **SECTION 6.** In Colorado Revised Statutes, **repeal** 40-3.2-105 as
27 follows:

1 **40-3.2-105. Reporting requirement.** ~~By April 30, 2009, and by~~
2 ~~each April 30 thereafter, the commission shall submit a report to the~~
3 ~~business, labor, and technology committee of the senate, or its successor~~
4 ~~committee, and the business affairs and labor committee of the house of~~
5 ~~representatives, or its successor committee, on the progress made by~~
6 ~~investor-owned utilities in meeting their natural gas and electricity~~
7 ~~demand-side management goals. The report shall include any~~
8 ~~recommended statutory changes the commission deems necessary to~~
9 ~~further the intent of sections 40-3.2-103 and 40-3.2-104.~~

10 **SECTION 7.** In Colorado Revised Statutes, 40-15-208, **repeal**
11 ~~(2)(b), (2)(c), and (2)(e) as follows:~~

12 **40-15-208. High cost support mechanism - Colorado high cost**
13 ~~**administration fund - creation - purpose - operation - rules - repeal.**~~

14 ~~(2) (b) On or before December 1 of each year, the commission shall~~
15 ~~submit a written report to the committees of reference in the senate and~~
16 ~~house of representatives that are assigned to hear telecommunications~~
17 ~~issues, in accordance with section 24-1-136, C.R.S., accounting for the~~
18 ~~operation of the high cost support mechanism during the preceding~~
19 ~~calendar year and containing the following information, at a minimum:~~

20 ~~(I) The total amount of money that the commission determined~~
21 ~~should constitute the high cost support mechanism from which~~
22 ~~distributions would be made;~~

23 ~~(II) The total amount of money ordered to be contributed through~~
24 ~~a neutral assessment collected by each telecommunications service~~
25 ~~provider;~~

26 ~~(III) The basis on which the contribution of each~~
27 ~~telecommunications service provider was calculated;~~

1 ~~(IV) The benchmarks used and the basis on which the benchmarks~~
2 ~~were determined;~~

3 ~~(V) The total amount of money that the commission determined~~
4 ~~should be distributed from the high cost support mechanism;~~

5 ~~(VI) The total amount of money distributed to each~~
6 ~~telecommunications service provider from the high cost support~~
7 ~~mechanism;~~

8 ~~(VII) The basis on which the distribution to telecommunications~~
9 ~~service providers was calculated;~~

10 ~~(VIII) As to each telecommunications service provider receiving~~
11 ~~a distribution, the amount received by geographic support area and type~~
12 ~~of customer, the way in which the benefit of the distribution was applied~~
13 ~~or accounted for;~~

14 ~~(IX) The proposed benchmarks, the proposed contributions to be~~
15 ~~collected through a neutral assessment on each telecommunications~~
16 ~~provider, and the proposed total amount of the high cost support~~
17 ~~mechanism from which distributions are to be made for the following~~
18 ~~calendar year; and~~

19 ~~(X) The total amount of distributions made from the high cost~~
20 ~~support mechanism, directly or indirectly, and how they are balanced by~~
21 ~~rate reductions by all providers for the same period and a full accounting~~
22 ~~of and justification for any difference.~~

23 ~~(c) If the report submitted pursuant to paragraph (b) of this~~
24 ~~subsection (2) contains a proposal for an increase in any of the amounts~~
25 ~~listed in subparagraph (IX) of said paragraph (b), such increase shall be~~
26 ~~suspended until March 31 of the following year.~~

27 ~~(e) In addition to the annual report submitted under paragraph (b)~~

1 of this subsection (2) by the commission, the department of regulatory
2 agencies shall include in its presentation to the appropriate legislative
3 committee under the requirements of part 2 of article 7 of title 2, C.R.S.,
4 an update on the implementation and administration of the high cost
5 support mechanism.

6 **SECTION 8. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2018 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.29.16

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LLS NO. 17-0281.01 Kristen Forrestal x4217

BILL (3)(e)(xv)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By DOR To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF REVENUE TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses reporting

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

requirements of the department of revenue.

Sections 1 through 4 and 6 of the bill repeal a report that was scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

Sections 5 and 7 of the bill add a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-43.4-104, **repeal**
3 (6) as follows:

4 **12-43.4-104. Applicability - retail marijuana.** (6) ~~On or before~~
5 ~~April 1, 2014, and on or before April 1 each year thereafter, the state~~
6 ~~licensing authority shall submit a report to the joint budget committee and~~
7 ~~the finance committees of the senate and house of representatives, or any~~
8 ~~successor committees, on:~~

9 (a) ~~The progress that the state licensing authority is making in~~
10 ~~processing licenses;~~

11 (b) ~~An overview of the retail marijuana and retail marijuana~~
12 ~~products markets, including but not limited to actual and anticipated~~
13 ~~market demand and market supply;~~

14 (c) ~~Detailing the amount of revenue generated by medical and~~
15 ~~retail marijuana, including applicable excise taxes, sales taxes, application~~
16 ~~and license fees, and any other fees, and detailing the expenses incurred~~
17 ~~by the state licensing authority, broken down into categories as~~
18 ~~determined by the authority;~~

19 (d) ~~The number of applications for conversion from medical~~
20 ~~marijuana licensees to retail marijuana establishments;~~

21 (e) ~~The number of persons who have filed a notice of intent to~~
22 ~~apply for licensure pursuant to subparagraph (f) of paragraph (b) of~~

1 subsection (1) of this section; and

2 (f) ~~The enforcement measures taken against persons licensed~~
3 ~~pursuant to this article for violation of regulations promulgated pursuant~~
4 ~~to this article.~~

5 **SECTION 2.** In Colorado Revised Statutes, 12-47-601, **repeal** (8)
6 as follows:

7 **12-47-601. Suspension - revocation - fines.** (8) Each local
8 ~~licensing authority shall report all actions taken to impose fines,~~
9 ~~suspensions, and revocations to the state licensing authority in a manner~~
10 ~~as required by the state licensing authority. No later than January 15 of~~
11 ~~each year, a report of the preceding year's actions in which fines,~~
12 ~~suspensions, or revocations were imposed by local licensing authorities~~
13 ~~and by the state licensing authority shall be compiled by the state~~
14 ~~licensing authority. One copy of said report shall be filed with the chief~~
15 ~~clerk of the house of representatives, one copy shall be filed with the~~
16 ~~secretary of the senate, and six copies shall be filed in the joint legislative~~
17 ~~library.~~

18 **SECTION 3.** In Colorado Revised Statutes, 24-35-204, **amend**
19 (3)(k) as follows:

20 **24-35-204. Director - qualifications - powers and duties.**

21 (3) The director, as administrative head of the division, shall direct and
22 supervise all its administrative and technical activities. In addition to the
23 duties imposed upon the director elsewhere in this part 2, it shall be the
24 director's duty:

25 (k) To furnish monthly to the state treasurer and the commission
26 a full and complete statement of lottery revenues, prize disbursements,
27 and other expenses for each month. All reports required by this paragraph

1 (k) shall be public, and ~~copies of all~~ A COPY OF EACH OF such reports shall
2 be sent to the governor. ~~the speaker of the house of representatives, the~~
3 ~~president of the senate, and the minority leaders of both houses.~~

4 **SECTION 4.** In Colorado Revised Statutes, 24-35-211, **amend**
5 (2) as follows:

6 **24-35-211. Audits and annual reports.** (2) The commission and
7 director shall make an annual report by March 1 of each year to the
8 governor ~~the legislative audit committee, and the joint budget committee~~
9 that shall include a summary of the division's activities for the previous
10 year, a detailed statement of lottery revenues, prize disbursements,
11 expenses of the division, allocation of remaining revenues, and any
12 recommendations for change in the statutes that the commission or
13 director deems necessary or desirable. The report shall be public.

14 **SECTION 5.** In Colorado Revised Statutes, 26-2-104, **amend**
15 (2)(f) as follows:

16 **26-2-104. Public assistance programs - electronic benefits**
17 **transfer service - joint reports with department of revenue - signs -**
18 **rules.** (2) (f) (I) On or before January 1, 2016, and July 1, 2016, and on
19 or before each January 1 thereafter, the department of revenue and the
20 state department shall each submit and present the reports at the same
21 meeting on electronic benefits transfers to the state, veterans, and military
22 affairs committees of the senate and house of representatives, the health
23 and human services committee of the senate, and the public health care
24 and human services committee of the house of representatives, or any
25 successor committees. The reports must list the number of instances that
26 a client accessed cash benefits through the electronic benefits transfer
27 service through automated teller machines located in each type of

1 establishment described in paragraph (a) of this subsection (2) or any
2 other establishment in which a client is prohibited from accessing benefits
3 by federal law.

4 (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
5 (2)(f) IS REPEALED, EFFECTIVE JANUARY 2, 2019.

6 **SECTION 6.** In Colorado Revised Statutes, 39-22-522.5, **repeal**
7 (12) and (13) as follows:

8 **39-22-522.5. Conservation easement tax credits - dispute**
9 **resolution - legislative declaration.** (12) ~~(a) On or before July 1, 2011,~~
10 ~~and on a quarterly basis thereafter, the executive director shall provide a~~
11 ~~report to the joint budget committee and the finance committees of the~~
12 ~~general assembly describing:~~

13 ~~(I) The number of tax credits claimed pursuant to section~~
14 ~~39-22-522 for which the executive director mailed a notice of deficiency,~~
15 ~~notice of rejection of refund claim, or notice of disallowance pursuant to~~
16 ~~section 39-21-103;~~

17 ~~(II) The number of such cases sent to the conservation easement~~
18 ~~oversight commission for review pursuant to section 12-61-725, C.R.S.;~~

19 ~~(III) The number of such cases returned to the executive director~~
20 ~~with the advice of the conservation easement oversight commission~~
21 ~~created in section 12-61-725 (1), C.R.S., and the action, if any, taken by~~
22 ~~the department of revenue on the cases returned by the commission;~~

23 ~~(IV) The number and progress of any cases that are in a mediation~~
24 ~~process and the status of such mediation;~~

25 ~~(V) The number of cases referred to the attorney general's office~~
26 ~~for resolution;~~

27 ~~(VI) The number of cases finally resolved by the department of~~

1 revenue;

2 ~~(VII) The amount of deficient taxes, interest, and penalties~~
3 ~~determined to be owed or waived by the department of revenue in~~
4 ~~administering the resolution of cases;~~

5 ~~(VIII) The number and total amount of credits that were originally~~
6 ~~contested but subsequently allowed to be claimed in full; and~~

7 ~~(IX) The amount of moneys expended by the department of~~
8 ~~revenue in administering the resolution of cases.~~

9 ~~(b) The reporting requirements of subparagraphs (II) and (III) of~~
10 ~~paragraph (a) of this subsection (12) shall not apply for conservation~~
11 ~~easements donated on or after January 1, 2014.~~

12 ~~(13) On or before March 15, 2012, and on a quarterly basis~~
13 ~~thereafter, the state court administrator shall provide a report to the joint~~
14 ~~budget committee and the finance committees of the general assembly~~
15 ~~describing:~~

16 ~~(a) The number of taxpayers electing to appeal pursuant to~~
17 ~~subsection (2) of this section;~~

18 ~~(b) The number of cases pending before the district courts or on~~
19 ~~appeal before other courts;~~

20 ~~(c) The number of cases finally resolved;~~

21 ~~(d) The amount of moneys estimated to have been expended by~~
22 ~~the courts in administering the appeals; and~~

23 ~~(e) The amount of deficient taxes, interest, and penalties~~
24 ~~determined to be owed or waived in connection with the appeals.~~

25 **SECTION 7.** In Colorado Revised Statutes, 42-1-229, **add** (2) as
26 follows:

27 **42-1-229. Report.** (2) PURSUANT TO SECTION 24-1-136(11)(a)(I),

1 THIS SECTION IS REPEALED, EFFECTIVE JULY 2, 2018.

2 **SECTION 8.** In Colorado Revised Statutes, 42-3-302, **repeal** (2)
3 as follows:

4 **42-3-302. Special plate fees.** (2) ~~The executive director of the~~
5 ~~department shall make an annual report by March 1 of each year to the~~
6 ~~general assembly. Such report shall be open for public inspection and~~
7 ~~shall include:~~

8 (a) ~~A summary of the department's activities for the previous year;~~

9 (b) ~~A statement of plate revenues;~~

10 (c) ~~Information regarding special plate purchases;~~

11 (d) ~~Expenses of the department;~~

12 (e) ~~Allocation of remaining revenues; and~~

13 (f) ~~Any recommendations for changes in statutes that the~~
14 ~~executive director deems necessary or desirable.~~

15 **SECTION 9.** In Colorado Revised Statutes, 42-4-305, **repeal** (11)
16 as follows:

17 **42-4-305. Powers and duties of executive director - automobile**
18 **inspection and readjustment program - basic emissions program -**
19 **enhanced emissions program - clean screen program - rules.** (11) ~~The~~
20 ~~executive director shall report to the transportation legislation review~~
21 ~~committee annually on the effectiveness of the quality assurance and~~
22 ~~enforcement measures contained in this section, the overall motorist~~
23 ~~compliance rates with inspections for registration denial, and the status~~
24 ~~of state implementation plan compliance pertaining to quality assurance.~~
25 ~~This annual report shall be submitted to the commission in May of each~~
26 ~~year for incorporation into appropriate annual and biennial reporting~~
27 ~~requirements. Reports shall cover the previous calendar year.~~

1 **SECTION 10. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2018 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
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LLS NO. 17-0282.01 Kate Meyer x4348

BILL (3)(e)(xvi)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By SOS To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **SECRETARY OF STATE TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. For the report regarding certain

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Dashes through the words indicate deletions from existing statute.*

filing-office rules that is required to be submitted annually by the secretary of state, the bill adds a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 4-9-527 as
3 follows:

4 **4-9-527. Duty to report - repeal.** (a) The secretary of state shall
5 report annually on or before June 30 to the governor and legislature on
6 the operation of the filing office. The report must contain a statement of
7 the extent to which:

8 (1) The filing-office rules are not in harmony with the rules of
9 filing offices in other jurisdictions that enact substantially this part 5 and
10 the reasons for these variations; and

11 (2) The filing-office rules are not in harmony with the most recent
12 version of the model rules promulgated by the international association
13 of commercial administrators, or any successor organization, and the
14 reasons for these variations.

15 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SECTION IS
16 REPEALED, EFFECTIVE JULY 1, 2019.

17 **SECTION 2. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in
2 November 2018 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
11.29.16

DRAFT

LLS NO. 17-0283.01 Kristen Forrestal x4217

BILL (3)(e)(xvii)

Statutory Revision Committee

BILL TOPIC: "Reporting Reqmnts By DOT To GA"

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF TRANSPORTATION TO THE GENERAL**
103 **ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement. The bill addresses reporting requirements of the department of transportation.

Sections 1 through 3 and 5 through 11 of the bill repeal a report that was scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

Section 4 of the bill adds a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-1306, **repeal** (4)
3 as follows:

4 **42-4-1306. Colorado task force on drunk and impaired driving**
5 **- creation - legislative declaration.** (4) ~~The task force shall report its~~
6 ~~findings and recommendations to the judiciary committees of the house~~
7 ~~of representatives and the senate, or any successor committees, on or~~
8 ~~before January 15, 2007, and on or before each January 15 thereafter.~~

9 **SECTION 2.** In Colorado Revised Statutes, 42-4-1612, **repeal** (1)
10 as follows:

11 **42-4-1612. Accidents in state highway work areas.** (1) ~~On or~~
12 ~~before February 15, 2011, and on or before February 15 of each~~
13 ~~succeeding year, the department of transportation and the Colorado state~~
14 ~~patrol shall present a joint report to the transportation and energy~~
15 ~~committee of the house of representatives and the transportation~~
16 ~~committee of the senate, or any successor committees, regarding fatal~~
17 ~~accidents in state highway work areas during the preceding year. The~~
18 ~~report shall include, at a minimum:~~

19 ~~(a) A summary of the total number of fatal accidents and the total~~
20 ~~number of individuals killed;~~

21 ~~(b) A categorization of the total number of individuals killed that~~

1 ~~identifies the individuals as employees of the department of~~
2 ~~transportation, employees of contractors or subcontractors working on a~~
3 ~~project for the department, or other individuals;~~

4 (c) ~~A copy of the accident reporting form for each fatal accident;~~

5 (d) ~~A description of both ongoing and newly implemented~~
6 ~~measures taken by the department of transportation to prevent fatal~~
7 ~~accidents in state highway work areas.~~

8 **SECTION 3.** In Colorado Revised Statutes, 43-1-123, **amend** (4)
9 as follows:

10 **43-1-123. Project closure and project reporting requirements.**

11 (4) (a) On or after July 1, 2016, and on ~~and~~ OR after July 1 of each year
12 thereafter, the department shall report to the transportation legislation
13 review committee created in section 43-2-145 (1) regarding all policy
14 amendments made to the statewide transportation improvement plan that
15 were adopted during the most recently ended fiscal year and that added
16 or deleted a project from the plan or modified the funding priority of any
17 project included in the plan. The report shall include an explanation of the
18 reasons for each reported policy amendment.

19 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
20 (4) IS REPEALED, EFFECTIVE JULY 2, 2019.

21 **SECTION 4.** In Colorado Revised Statutes, **repeal** 43-4-404 as
22 follows:

23 **43-4-404. Formula for allocation of moneys.** ~~(1) The office of~~
24 ~~transportation safety shall allocate not less than thirty percent and not~~
25 ~~more than fifty percent of the moneys allocated to the office pursuant to~~
26 ~~section 43-4-402 (2) to counties that have established a qualified drunken~~
27 ~~driving prevention and law enforcement program. The intent of the~~

1 ~~general assembly is that these moneys be expended in a manner that will~~
2 ~~improve enforcement of drunken driving laws. To this end, rules for the~~
3 ~~distribution of these moneys shall be developed by the office of~~
4 ~~transportation safety. The office shall report annually to the transportation~~
5 ~~legislation review committee on the distribution and expenditure of these~~
6 ~~funds and the nature and purpose of the programs. All moneys~~
7 ~~appropriated hereunder shall be used for drunken driving prevention and~~
8 ~~law enforcement improvement by counties and not for statewide~~
9 ~~programs.~~

10 (2) ~~The office of transportation safety shall allocate not less than~~
11 ~~fifty percent and not more than seventy percent of the moneys to~~
12 ~~municipalities and city and counties that have established a qualified~~
13 ~~drunken driving prevention and law enforcement program. The intent of~~
14 ~~the general assembly is that these moneys be expended in a manner that~~
15 ~~will improve enforcement of drunken driving laws. To this end, rules for~~
16 ~~the distribution of these moneys shall be developed by the office of~~
17 ~~transportation safety. The office shall report annually to the transportation~~
18 ~~legislation review committee on the distribution and expenditure of these~~
19 ~~funds and the nature and purpose of the programs. All moneys~~
20 ~~appropriated hereunder shall be used for drunken driving prevention and~~
21 ~~law enforcement improvement by municipalities and city and counties~~
22 ~~and not for statewide programs.~~

23 (3) ~~The moneys in the fund appropriated to the unit in the~~
24 ~~department of human services that administers behavioral health~~
25 ~~programs and services, including those related to mental health and~~
26 ~~substance abuse, pursuant to section 43-4-402 (2) shall be used to~~
27 ~~establish a statewide program for the prevention of driving after drinking,~~

1 ~~which includes educating the public in the problems of driving after~~
2 ~~drinking, training of teachers, health professionals, and law enforcement~~
3 ~~in the dangers of driving after drinking, preparing and disseminating~~
4 ~~educational materials dealing with the effects of alcohol and other drugs~~
5 ~~on driving behavior, and preparing and disseminating education~~
6 ~~curriculum materials thereon for use at all levels of school. The unit in the~~
7 ~~department of human services that administers behavioral health~~
8 ~~programs and services, including those related to mental health and~~
9 ~~substance abuse, is authorized to contract with a qualified private~~
10 ~~corporation to provide all or part of these services and shall promulgate~~
11 ~~standards for said program.~~

12 **SECTION 5.** In Colorado Revised Statutes, **repeal** 43-4-713 as
13 follows:

14 **43-4-713. Annual reports.** ~~(1) No later than January 15, 2001,~~
15 ~~and no later than January 15 of each year thereafter, the executive director~~
16 ~~shall submit a report to the members of the joint budget committee of the~~
17 ~~general assembly, the members of the legislative audit committee of the~~
18 ~~general assembly, the chair of the transportation and energy committee of~~
19 ~~the house of representatives, and the chair of the transportation committee~~
20 ~~of the senate that includes, at a minimum, the following information:~~

21 ~~(a) The total amount of revenue anticipation notes issued by the~~
22 ~~executive director in accordance with this part 7;~~

23 ~~(b) The qualified federal aid transportation projects for which the~~
24 ~~proceeds from such revenue anticipation notes have been expended, the~~
25 ~~amount of note proceeds expended on each project, the status of each~~
26 ~~project, and the estimated date of completion for such projects not yet~~
27 ~~completed;~~

1 ~~(c) The total amount of federal transportation funds paid to the~~
2 ~~department since such revenue anticipation notes have been issued; and~~

3 ~~(d) The total amount of proceeds from the issuance of revenue~~
4 ~~anticipation notes, state matching funds, and federal transportation funds~~
5 ~~allocated by the commission in each state fiscal year for the payment of~~
6 ~~such revenue anticipation notes and the costs associated with the issuance~~
7 ~~and administration of such notes.~~

8 **SECTION 6.** In Colorado Revised Statutes, 43-4-805, **repeal** (6)
9 as follows:

10 **43-4-805. Statewide bridge enterprise - creation - board -**
11 **funds - powers and duties - legislative declaration.** (6) No later than
12 ~~February 15, 2010, and no later than February 15 of each year thereafter,~~
13 ~~the bridge enterprise shall present a report to the committees of the house~~
14 ~~of representatives and the senate that have jurisdiction over~~
15 ~~transportation. The report shall include a summary of the bridge~~
16 ~~enterprise's activities for the previous year, a summary of the status of any~~
17 ~~current designated bridge projects, a statement of the enterprise's~~
18 ~~revenues and expenses, an estimate of the number of jobs created or~~
19 ~~preserved as a result of the enterprise's activities, and any~~
20 ~~recommendations for statutory changes that the enterprise deems~~
21 ~~necessary or desirable. The committees shall review the report and may~~
22 ~~recommend legislation. The report shall be public and shall be available~~
23 ~~on the website of the department on or before January 15 of the year in~~
24 ~~which the report is presented.~~

25 **SECTION 7.** In Colorado Revised Statutes, 43-4-806, **repeal** (10)
26 as follows:

27 **43-4-806. High-performance transportation enterprise -**

1 **creation - board - funds - powers and duties - limitations - reporting**
2 **requirements - legislative declaration.** (10) ~~No later than February 15,~~
3 ~~2010, and no later than February 15 of each year thereafter, the~~
4 ~~transportation enterprise shall present a report to the committees of the~~
5 ~~house of representatives and the senate that have jurisdiction over~~
6 ~~transportation. The report shall include a summary of the transportation~~
7 ~~enterprise's activities for the previous year, a summary of the status of any~~
8 ~~current surface transportation infrastructure projects, a statement of the~~
9 ~~enterprise's revenues and expenses, and any recommendations for~~
10 ~~statutory changes that the enterprise deems necessary or desirable. The~~
11 ~~committees shall review the report and may recommend legislation. The~~
12 ~~report shall be public and shall be available on the website of the~~
13 ~~department on or before January 15 of the year in which the report is~~
14 ~~presented.~~

15 **SECTION 8.** In Colorado Revised Statutes, **repeal** 43-4-813 as
16 follows:

17 **43-4-813. Transportation deficit report - annual reporting**
18 **requirement.** ~~No later than June 30, 2009, and no later than March 1 of~~
19 ~~any fiscal year in which road or bridge safety surcharges are imposed~~
20 ~~pursuant to section 43-4-804 (1) (a) or 43-4-805 (5) (g), the department~~
21 ~~shall prepare and present to the transportation and energy committee of~~
22 ~~the house of representatives and the transportation committee of the~~
23 ~~senate, or any successor committees, a transportation deficit report that~~
24 ~~separately addresses the goals of repairing deficient highways and~~
25 ~~bridges, as evidenced by a C or D rating, sustaining existing~~
26 ~~transportation system performance levels, and achieving the corridor~~
27 ~~visions described by regional transportation plans and public preferences.~~

1 ~~For each goal, the report shall include a listing of the annual costs for~~
2 ~~each of the next ten fiscal years of achieving the goal; the annual increase~~
3 ~~and rate of increase of the costs; the factors contributing to the costs,~~
4 ~~including, but not limited to, the rate and geographic distribution of~~
5 ~~population growth, vehicle size and weight, land use policies, and work~~
6 ~~patterns; methods of reducing the impact of the cost factors, including,~~
7 ~~but not limited to, land use policy changes, increased use of transit,~~
8 ~~telecommuting, and peak transportation system demand reduction~~
9 ~~practices and economic incentives; and a comparison of the costs of~~
10 ~~mitigating the cost factors and the costs of achieving the goal by~~
11 ~~repairing, upgrading, or expanding the transportation system. The report~~
12 ~~shall explain why any cost estimate for a goal differs by more than five~~
13 ~~percent from any department estimate of such costs published before~~
14 ~~March 2, 2009, and shall separately account for cost overruns other than~~
15 ~~overruns attributable to increases in the Colorado construction cost index.~~
16 ~~The department shall publish the report on its website in a format that can~~
17 ~~be downloaded.~~

18 **SECTION 9.** In Colorado Revised Statutes, 43-10-109, **repeal** (4)
19 as follows:

20 **43-10-109. Aviation fund created.** (4) ~~No later than November~~
21 ~~1, 2003, and no later than November 1 of each year thereafter, the~~
22 ~~department of transportation shall submit a report to the members of the~~
23 ~~joint budget committee that includes, at a minimum, the following~~
24 ~~information:~~

25 (a) ~~The amounts, recipients, and purposes of moneys transferred~~
26 ~~from the fund during the prior state fiscal year:~~

27 (f) ~~(Deleted by amendment, L. 2009, (HB 09-1066), ch. 82, p.~~

1 ~~302, § 4, effective August 5, 2009.)~~

2 ~~(H) To the airport operating fund of the governmental entity~~
3 ~~operating the FAA-designated public-use airport pursuant to section~~
4 ~~43-10-110 (2) (a); and~~

5 ~~(HH) For the awarding of state aviation system grants pursuant to~~
6 ~~section 43-10-108.5;~~

7 ~~(b) The balance remaining in the fund as of June 30 of each state~~
8 ~~fiscal year and an explanation of any such balance; and~~

9 ~~(c) Any additional information pertaining to the transfer of~~
10 ~~moneys from the fund as the joint budget committee may request in the~~
11 ~~exercise of its discretion.~~

12 **SECTION 10. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2018 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.